

# Water Improvement Districts

in Garland County, Arkansas

Served by the City of Hot Springs Municipal Water System

District	Name	Formed
1	Highway 7 – WID #1	September 17, 1964 P. 2
7	Malvern Road – WID #7	October 7, 1965 P. 4
14	Carpenter Dam Road – WID #14	March 4, 1966 P. 16
17	Burchwood Bay – WID #17	August 4, 1972 P. 20
18	Lakeland Drive – WID #18	Oct 4, 1972 P. 25
22	Akers Road – WID #22	April 27, 1977 P. 29
23	Buena Vista – WID #23	May 16, 1977 P. 34
28	Lake Hamilton – WID #28	March 31, 1978 P. 36
30	Piney – WID #30	May 12, 1978 P. 45
31	Hwy 70 West – WID #31	July 10, 1984 P. 52
34	Davis Acres – WID #34	May 28, 1985 P. 67
35	Rolling Acres – WID #35	June 18, 1985 P. 72
36	Pittman Road – WID #36	June 18, 1985 P. 78
37	Marion Anderson Road – WID #37	November 5, 1985 P. 84
44	Little Mazarn Road – WID #44	June 24, 1996 P. 90
49	White Oak Water & Sewer – WID #49	January 12, 1998 P. 97
50	Red Oak – WID #50	March 17, 1999 P. 104
52	Randall Road – WID #52	December 15, 1999 P. 111
57	Cooper Creek – WID #57	October 19, 2001 P. 117
88-1	Hide-a-way Hills – WID of HS Co. and Garland Co.	July 29, 1991 P. 122
90-1	Sulfur Hill – WID of HS Co. and Garland Co.	October 1, 1987 P. 129
58	Morning Star – WID #58	July 29, 2002 P. 136
301	Jack Mountain – WID of HS Co. and Garland Co.	July 17, 2003 P. 142

IN THE COUNTY COURT OF GARLAND COUNTY, ARKANSAS

IN THE MATTER OF  
HIGHWAY #7 WATER IMPROVEMENT DISTRICT #1

#1534

ORDER

Now on this day comes on to be heard the Petition of certain property owners situated in the following described real property located in Garland County, Arkansas, to-wit:

A part of Sections 16, 17, 20 & 21, all in Twp. 3 South, Range 19 West, Garland County, Arkansas, more particularly described as follows: All of the SE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Sec. 17, Twp. 3 So., Range 19 West. All of the NE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Sec. 17, Twp. 3 So., Range 19 West. All of the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Sec. 17, Twp. 3 So., Range 19 West. All of the SW $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Sec. 17, Twp. 3 So., Range 19 West. All of the NW $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Sec. 17, Twp. 3 So., Range 19 West. The S $\frac{1}{2}$  of the SW $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Sec. 17, Twp. 3 So., Range 19 West, South and East of Arkansas State Highway #88.

A part of the NE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Sec. 17, Twp. 3 So., Range 19 West, more particularly described as follows: Beginning at the NE corner of the NE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Sec. 17, Twp. 3 So., Range 19 West; thence South Southwesterly along the East side of Ark. State Highway #88 to the SW corner of Smith's Property; thence Southeasterly to the SE corner of Smith's Property; said point being on the East line of the said NE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Sec. 17, Twp. 3 So., Range 19 West; thence North along the East line of the said NE $\frac{1}{4}$  to the place of beginning.

All of the NE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Sec. 20, Twp. 3 So., Range 19 West. All of the NW $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Sec. 20, Twp. 3 South, Range 19 West.

A part of the N $\frac{1}{2}$  of Sec. 21, more particularly described as follows: Starting at a point 20 feet South of the NW corner of Sec. 21, Twp. 3 So., Range 19 West; thence East along the South Right-of-Way Line of Cedar Crest Dr. 660 feet to the East Right-of-Way Line of Thornton Dr.; thence So., along the East Right-of-Way Line of Thornton Dr. 635 feet; thence East 700 feet to the NE corner of Lot 37, Broadmoor Subdivision; thence South to the SE corner of Lot 38, Broadmoor Subdivision; thence West 1,360 feet to the West line of the NW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Sec. 21, Twp. 3 So., Range 19 West; thence North 1,080 feet to the Point of Beginning.

The West 878 feet of the SW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Sec. 16, Twp. 3 South, Range 19 West.

The Petitions pray that the above described lands lying in Garland County, Arkansas be laid off into an improvement district for the purpose of constructing water mains to provide water for the above

CURTIS L. RIDGWAY, JR.

ATTORNEY AT LAW

201 WOODBINE

HOT SPRINGS, ARKANSAS

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ATTORNEY AT LAW

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HOT SPRINGS, ARKANSAS

described property and to appoint as the commissioners for said district, Don A. Madden, J. O. Campbell and Jack Thornton, the cause being submitted to the Court upon the Petitions of the parties, proof of publication of the notice of the filing thereof, testimony introduced herein, from all of which the Court doth find:

That the Petitions filed herein contain a majority in value and of area of the owners of the above described real property located in Garland County, Arkansas; that said lands are adjacent to the City of Hot Springs, Arkansas, and that the said City of Hot Springs, Arkansas had a population of more than five thousand (5,000) persons, as shown by the last federal census; that notice of the hearing on these Peittions was duly published once a week for two consecutive weeks in a newspaper having a bona fide circulation in Garland County, Arkansas, and that the above described lands should be laid off into an improvement district to be known as Highway #7 Water Improvement District #1, and that Don A. Madden, J. O. Campbell and Jack Thornton should be appointed as the commissioners for said district.

IT IS THEREFORE ORDERED AND ADJUDGED that the above described lands lying in Garland County, Arkansas are hereby laid off into an improvement district for the purpose of constructing water mains to provide water service to the above described property. That said district shall be known as Highway #7 Water Improvement District #1, and that Don A. Madden, <sup>Mrs. Leo. CORRADO,</sup> ~~J. O. Campbell~~ and Jack Thornton are hereby appointed commissioners for said district.

Entered this 17 day of September, 1964.

  
COUNTY JUDGE

4-57

IN THE COUNTY COURT OF GARLAND COUNTY, ARKANSAS

IN THE MATTER OF THE PETITION  
FOR THE FORMATION OF A WATER  
IMPROVEMENT DISTRICT INCLUDING  
CERTAIN LANDS IN SECTIONS 14,  
15, 16, 22, AND 23, TOWNSHIP 3  
SOUTH, RANGE 19 WEST, GARLAND  
COUNTY, ARKANSAS

# 2648

ORDER ESTABLISHING  
MALVERN ROAD WATER IMPROVEMENT DISTRICT NO. 7  
OF GARLAND COUNTY, ARKANSAS

On this 4th day of October, 1965, comes on to be heard the  
Petition of certain property owners for the formation of a sub-  
urban improvement district and come the petitioners by Wood,  
Chesnutt & Smith, their attorneys, for and on behalf of all the  
signers of the petition for the district, and protestants come  
not, there being none, and the petition for the creation of the  
district is submitted to the Court upon the petition, filed in  
multiple copies, the map of the district, the certificates of  
O. M. Young, Jr., Ray Owen and Harold L. Smith as to ownership,  
area and value, the proof of publication by the Hot Springs  
Sentinel Record of the notice of hearing on the petition, and  
statements of counsel, and the Court being fully advised as to  
all matters of law and fact herein finds:

That the petition, in multiple copies, was filed with the  
Clerk of the County Court of Garland County, Arkansas, on the  
14th day of September, 1965 and that Lucille Thomas, Clerk of  
the County Court of Garland County, Arkansas, gave notice of the  
filing thereof describing the territory to be included and calling  
upon all persons who wished to be heard on the question of  
establishment of the district to appear before the Court on the

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ATTORNEYS AT LAW  
PROFESSIONAL BUILDING - 224 PROSPECT AVENUE  
HOT SPRINGS, ARKANSAS 71901

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day fixed in the notice, namely October 4th, 1965; that the notice was in due form of law and was correctly published once a week for two weeks in the Hot Springs Sentinel Record, a daily newspaper of general circulation in Garland County, Arkansas, on the 17th day of September, 1965 and the 24th day of September, 1965, as shown by the proof of publication which has been filed with the Court, and the Notice correctly described the lands to be affected and fixed the time and place of the hearing; that this is the place and date set for all protestants to the formation of the district to be heard; and that there are no protestants to the formation of the district before the bar of this court.

The Court further finds from the signatures of O. M. Young, Jr., abstractor, Ray Owen, and Harold L. Smith, Engineer, that the total assessed value of the real property in the territory included in the district is \$224,640.00 and that the signers of the petition are the owners of property within the limits of the district to the assessed value of \$163,220.00, constituting 72.1% of the assessed value of the said real property within the district.

The Court further finds that the total area of the lands included within the district is 875 acres, and that the signers of the petition are the owners of property within said district with an area of 501.8 acres, constituting 57.5% of the area of the real property within the said district.

The Court further finds that of the total acreage described in the petition, 535 acres are situated outside the corporate limits of the City of Hot Springs, Arkansas, and 340 acres are situated within the corporate limits of the City of Hot Springs, Arkansas, and that more than 50% of area of the said

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district is situated outside the corporate limits of the City of Hot Springs, Arkansas.

The Court further finds that the total assessed value of the real property included in the district which is situated within the corporate limits of the City of Hot Springs, Arkansas is \$184,920.00 and that the signers of the petition are the owners of property within the limits of that portion of the district situated within the corporate limits of the City of Hot Springs, Arkansas to the assessed value of \$ 137,170.00 constituting 74.3 % of the assessed valuation of the real property within the district inside the corporate limits of the City of Hot Springs, Arkansas.

The Court further finds that the total area of the lands included within the district which are situated within the corporate limits of the City of Hot Springs, Arkansas is 340 acres and that the petitioners are the owners of property within said portion of the district situated within the corporate limits of the City of Hot Springs, Arkansas with an area of 210.9 acres, constituting 62.2 % of the area of the property within the said district situated within the corporate limits of the City of Hot Springs, Arkansas.

The Court further finds that the total assessed value of the real property in the territory included in the district situated outside the corporate limits of the City of Hot Springs, Arkansas is \$39,410.00 and that the signers of the petition are the owners of property within the limits of that portion of the district situated outside the corporate limits of the City of Hot Springs, Arkansas to the assessed value of \$ 26,050.00, constituting 62.4 % of the assessed value of that portion of the

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property within the district situated outside the corporate limits of the City of Hot Springs, Arkansas.

The Court further finds that the total area of the lands included within the district which are situated outside the corporate limits of the City of Hot Springs, Arkansas is 535 acres and that the signers of the petition are the owners of lands within said portion of said district situated outside the corporate limits of the City of Hot Springs, Arkansas, with an area of 290.9 acres constituting 54.4% of the area of the lands situated within the district outside of the City of Hot Springs, Arkansas.

The Court further finds that the certificates were based upon an examination by O. M. Young, Jr., Abstractor, Ray Owen, and Harold L. Smith, Engineer, of the last assessment of record in the offices of the County Assessor and the ownerships as shown by the last deeds of record in the offices of the Circuit Clerk, both of Garland County, Arkansas, and that the said certificates clearly describe the lands included in the petition.

The Court further finds that the City of Hot Springs, Arkansas is a city of first class having a population of over 10,000 and under 30,000 according to the 1960 Federal Census.

The Court further finds that the petition is signed by a majority in value and of area of the owners of real property within the territory described in the petition; that more than 50% of the real property described in the petition is situated outside the corporate limits of the City of Hot Springs, Arkansas; that the petition is signed by a majority in value and of area of the owners of that portion of the real property described in the petition which is situated within the corporate limits of the City of Hot Springs, Arkansas; that the petition is signed by a majority in value and of area of the owners of that portion of the real property described in the petition which is situated outside the

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corporate limits of the City of Hot Springs, Arkansas; that all of the lands described in the petition are situated within five miles of the city limits of the City of Hot Springs, Arkansas; that the purpose for the organization of the district as set out in the petition is a proper purpose under the Statutes authorizing the creation of the district; that the persons suggested by the petitioners to the Court for appointment as Commissioners for the district are property owners in said district.

THE COURT DOES, THEREFORE, order, adjudge and decree that the following territory, to-wit:

A part of Sections 14, 15, 16, 22 and 23, T3S, R19W, Garland County, Arkansas, more particularly described as follows: Beginning at the SE Corner of Section 16, T3S, R19W; thence north along the section line between sections 16 and 15, 1320 feet to the northeast corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$  of said Section 16; thence west 660 feet; thence north 990 feet; thence west 1320 feet to the west line of Lot 4, SE $\frac{1}{4}$  Section 16, T3S, R19W; thence northerly along west side of said Lot 4 and west side of lots 16 and 13 in the NE $\frac{1}{4}$  of Section 16 for 1500 feet to a point on the west side of said Lot 13, said point being 150 feet south of the northwest corner of said Lot 13; thence west 210 feet; thence north 350 feet; thence east 2260 feet to the east line of section 16; thence south 1520 feet to the northwest corner of the NW $\frac{1}{4}$ SW $\frac{1}{4}$  Section 15; thence east 2640 feet to the center of section 15; thence continue east 1320 feet; thence north 245.5 feet; thence north 73 degrees 30 minutes east 298 feet; thence north 35 degrees 30 minutes east 311 feet to South line of U.S. Highway No. 270; thence southerly along Highway No. 270 to center line of Golf Links Road; thence southerly along center line of Golf Links Road 500 feet to the north line of the NE $\frac{1}{4}$ SE $\frac{1}{4}$  Section 15; thence east 175 feet to the Northeast Corner of the W $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 15; thence south along the east line of the W $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$  Section 15, 1320 feet; thence east 660 feet to the northeast corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 15; thence continue east 660 feet to the northeast corner of the W $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 14, T3S, R19W; thence south 1320 feet to the southeast corner of the W $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ , Section 14; thence east 660 feet to the northeast corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ , Section 23, T3S, R19W; thence south 1320 feet to the southeast corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ , Section 23; thence East 660 feet; thence south 1320 feet; thence west 1980 feet to the southwest corner of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ , Section 23; thence continue west 2640 feet to the center of Section 22, T3S, R19W; thence south 660 feet; thence west 2640 feet to the section line between Section 21 and Section 22; thence north 3300 feet along the west line of Section 22 to the point of beginning.



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all of which property is located in Garland County, Arkansas, be and the same is hereby laid off and established as a water improvement district under the authority of Act 41 of the General Assembly of the State of Arkansas for the year 1941, as amended, and that said district be and the same is hereby established for the purpose of laying water mains to provide water service to the lands included within the said district, and the Commissioners are hereby authorized to extend the water mains in said district beyond the limits of said district in order to make connection with the water mains of the City of Hot Springs, Arkansas, and to execute contracts for the construction of the said water mains as they may deem best; all of the work to be done in the manner and of the materials the Commissioners of the District deem for the best interests thereof; that said district shall be known as MALVERN ROAD WATER IMPROVEMENT DISTRICT NO. 7 OF GARLAND COUNTY, ARKANSAS, and that G. B. Kincannon, R. P. Kuykendall and J. D. Corbin be and they are hereby appointed the Commissioners for said district.

  
COUNTY JUDGE

CERTIFICATE

I, the undersigned, Clerk of the County Court of Garland County, Arkansas, hereby certify that the above and foregoing is a true and correct copy of an Order made and entered by said County Court on the 4th day of October, 1965, a day when said Court was legally convened for the holding of court, and said Order is now of record in Book No. 1, Page 137-40, of the Records of said County Court.

WITNESS my hand and the seal of said Court this \_\_\_\_ day of October, 1965.

LUCILLE THOMAS, County Clerk

(SEAL)

By \_\_\_\_\_

#2648

C O N T R A C T

THIS AGREEMENT, made and entered into this 11<sup>th</sup> day of ~~March~~ <sup>April</sup>, 1967 by and between MALVERN ROAD WATER IMPROVEMENT DISTRICT NO. 7 of Garland County, Arkansas, hereinafter called "DISTRICT" and the Waterworks Commission of the City of Hot Springs, Arkansas, hereinafter called "COMMISSION",  
WITNESSETH:

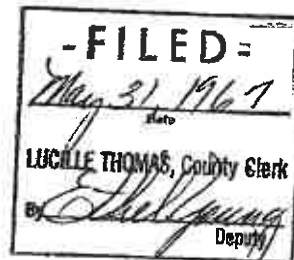
WHEREAS, the District was created for the purpose of laying water mains and fire hydrants to provide water service and fire protection to the lands located in the District, said mains to be connected to the Municipal Water System of the City of Hot Springs, Arkansas operated by the Commission; and

WHEREAS, the District proposes to install meters and services for existing residential and commercial water users within the District, which should be paid for by the Commission; and

WHEREAS, the Commission, for the purpose of future expansion of the Municipal Water System, has required that the District increase the size of certain water mains to be installed by the District and the cost of such increase in water mains should be borne by the Commission; and

WHEREAS, the water mains and water system to be constructed by the District will be accepted for maintenance and operation by the Commission.

NOW, THEREFORE, premises considered, the Parties hereto agree as follows:



1. The District will, at its own expense, construct the District's water system as set out on Plans prepared by Smith Engineering Company, Inc. of Hot Springs, Arkansas and approved by the Commission.

2. The District, at its expense, will provide and install 142 meters and services and will increase 13,000 feet of main from 6 inches to 8 inches in size, and will provide other services, as required by the Commission, at a total estimated cost of \$ 76,000.00

3. The District will include in its total bond issue the sum of \$ 76,000.00, representing the cost of the construction done by the District for the Commission, as set out in paragraph 2 above.

4. The Commission, in consideration of the foregoing to be performed by the District, will pay to the District the sum of \$ 54,200.00 in installments as follows:

A. \$ 1,355.00 five months after date of issue of the District's bonds and a like sum semi-annually thereafter until the bonds of the District and the interest thereon have been paid in full, or for 40 payments over a period of twenty years, whichever shall first occur. The amount to be paid by the Commission to the District has been calculated upon the assumption that the District will issue bonds bearing interest at the rate of 5% and is sufficient to amortize that portion of the District's bond issue representing expenses incurred by the District for the Commission as set out in paragraph No. 4 above, plus a 30% bond coverage.

5. In the event that the bonds issued by the District shall bear an interest rate of more or less than 5%, the payment to be made to the District by the Commission as set out in paragraph 6 above shall be increased or decreased proportionately to reflect an increase or decrease in interest.

6. The Commission shall have the right to approve specifications for materials to be used by the District in construction of its improvements and the District agrees not to specify and install materials unless approved by the Commission.

7. The Commission, upon completion of the improvements to be constructed by the District, will accept the same for operation and maintenance and will provide water to customers connected to the lines of the District at water rates now or hereafter established by Ordinance of the City Council of the City of Hot Springs, Arkansas, in accordance with Regulations of the Hot Springs Municipal Water System as the same now are or may hereafter be established.

8. This Contract is executed by the Parties with the understanding that the payments due from the Commission to the District may be assigned to the Trustee for the bonds to be issued by the District as additional security for the payment of the said bonds and this Contract shall be binding upon the Parties hereto, their successors and assigns.

IN WITNESS WHEREOF, the parties hereto have caused their names and seals to be affixed by their duly authorized officers this 11<sup>th</sup> day of APRIL, 1967.

THE WATERWORKS COMMISSION OF THE  
CITY OF HOT SPRINGS, ARKANSAS

By [Signature]  
By [Signature]  
By [Signature]

MALVERN ROAD WATER IMPROVEMENT  
DISTRICT NO..7 OF GARLAND COUNTY,  
ARKANSAS

By [Signature]  
By [Signature]  
By [Signature]

## ACKNOWLEDGMENT

STATE OF ARKANSAS) ) SS  
COUNTY OF GARLAND)

BE IT REMEMBERED, That on this day appeared before me, the undersigned, a Notary Public duly commissioned and acting within and for the County and State aforesaid, J. D. Ammen,  
J. A. Wear and J. P. Cox,  
to me well known as the Chairman,  
Secretary and Commissioner,  
respectively, of the Waterworks Commission of the City of Hot Springs, Arkansas, and acknowledged that they had, on behalf of said Commission and in their respective capacities, executed the foregoing Contract for the consideration and purposes therein mentioned and set forth.

WITNESS my hand and official seal as such Notary Public on  
this 11<sup>th</sup> day of April, 1967.

Estimie E. Murray  
NOTARY PUBLIC

My Commission Expires:

July 1, 1970

## ACKNOWLEDGMENT

STATE OF ARKANSAS)  
                                  ) SS  
COUNTY OF GARLAND)

BE IT REMEMBERED, That on this day appeared before me, the undersigned, a Notary Public duly commissioned and acting within and for the County and State aforesaid, J. B. Corbin, R. J. Keykendall and G. B. Kincannon, to me well known as the Secretary-Treasurer, Chairman, and Commissioner, respectively, of Malvern Road Water Improvement District No. 7 of Garland County, Arkansas, and acknowledged that they had, on behalf of said Improvement District and in their respective capacities, executed the foregoing Contract for the consideration and purposes therein mentioned and set forth.

WITNESS my hand and official seal as such Notary Public on this  
11<sup>th</sup> day of April, 1967.

Winnie Murray  
NOTARY PUBLIC

My Commission Expires:

July 1, 1970

I, Alden Mooney Manager, of THE Sentinel Record a newspaper of general circulation published, and having bonafide circulation in Hot Springs, Garland County, Arkansas, hereby certify that the legal notice hereto attached, was published

in said newspaper for two consecutive insertions and that the

First insertion was on the 10 th Day of January A. D. 1969

Second insertion \_\_\_\_\_ Day of \_\_\_\_\_ A. D. 19\_\_\_\_

Third insertion \_\_\_\_\_ day of \_\_\_\_\_ A. D. 19\_\_\_\_

Fourth insertion \_\_\_\_\_ day of \_\_\_\_\_ A. D. 19\_\_\_\_

Fifth insertion \_\_\_\_\_ day of \_\_\_\_\_ A. D. 19\_\_\_\_

and the last insertion on the 17 th day of January A. D. 1969

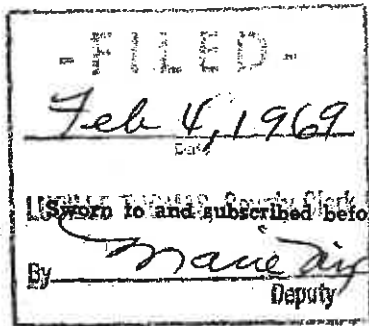
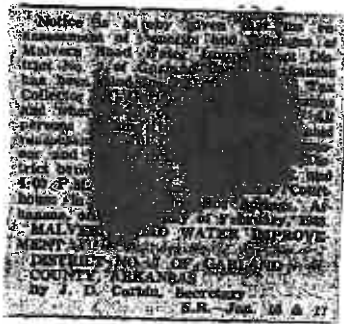
Alden Mooney

Subscribed to and subscribed before me on this 17 th day of January A. D. 1969

By Maude [Signature]  
Deputy

June [Signature]  
Notary Public

My Commission Expires Oct 1 1972



389A

IN THE COUNTY COURT OF GARLAND COUNTY, ARKANSAS

#3057

IN THE MATTER OF THE PETITION  
FOR THE FORMATION OF A WATER  
IMPROVEMENT DISTRICT INCLUDING  
CERTAIN LANDS IN SECTIONS 21,  
22, 27, and 28, TOWNSHIP 3  
SOUTH, RANGE 19 WEST, GARLAND  
COUNTY, ARKANSAS

ORDER ESTABLISHING  
CARPENTER DAM ROAD WATER IMPROVEMENT DISTRICT NO. 14  
OF GARLAND COUNTY, ARKANSAS

On this 4<sup>th</sup> day of March, 1966, comes on to be heard the  
Petition of certain property owners for the formation of a sub-  
urban improvement district and come the petitioners by Wood,  
Chesnutt & Smith, their attorneys, for and on behalf of all the  
signers of the petition for the district, and protestants come  
not, there being none, and the petition for the creation of the  
district is submitted to the Court upon the petition, filed in  
multiple copies, the map of the district, the certificates of  
O. M. Young, Jr., Ray Owen and Harold L. Smith as to ownership,  
area and value, the proof of publication by the Hot Springs  
Sentinel Record of the notice of hearing on the petition,  
and statements of counsel, and the Court being fully advised as to  
all matters of law and fact herein finds:

That the petition, in multiple copies, was filed with the  
Clerk of the County Court of Garland County, Arkansas, on the  
15<sup>th</sup> day of February, 1966 and that Lucille Thomas, Clerk of the  
County Court of Garland County, Arkansas, gave notice of the  
filing thereof describing the territory to be included and calling  
upon all persons who wished to be heard on the question of  
establishment of the district to appear before the Court on the

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389-B

day fixed in the notice, namely March 4th, 1966, that the notice was in due form of law and was correctly published once a week for two weeks in the Hot Springs Sentinel Record, a daily newspaper of general circulation in Garland County, Arkansas, on the 18<sup>th</sup> day of February, 1966 and the 25<sup>th</sup> day of February, 1966, as shown by the proof of publication which has been filed with the Court, and the Notice correctly described the lands to be affected and fixed the time and place of the hearing; that this is the place and date set for all protestants to the formation of the district to be heard; and that there are no protestants to the formation of the district before the bar of this court.

The Court further finds from the signatures of O. M. Young, Jr., abstractor, Ray Owen, and Harold L. Smith, Engineer, that the total assessed value of the real property in the territory included in the district is \$ 215,890.00 and that the signers of the petition are the owners of property within the limits of the district to the assessed value of \$ 133,000.00, constituting 61 % of the assessed value of the said real property within the district.

The Court further finds that the total area of the lands included within the district is 429.8 acres, and that the signers of the petition are the owners of property within said district with an area of 239.1 acres, constituting 56 % of the area of the real property within the said district.

The Court further finds that all of the said lands are located in Garland County, Arkansas, and that no part of said lands is included within the limits of any town or city and that all of said lands are located within fifteen miles of the City Limits of the City of Hot Springs, Arkansas, a city of the First Class, in the State of Arkansas, having a population of over 10,000 and under 30,000 according to the 1960 Federal Census.

387-c

The Court further finds that the certificates were based upon an examination by O. M. Young, Jr., Abstractor, Ray Owen, and Harold L. Smith, Engineer, of the last assessment of record in the offices of the County Assessor and the ownerships as shown by the last deeds of record in the offices of the Circuit Clerk, both of Garland County, Arkansas, and that the said certificates clearly describe the lands included in the petition.

The Court further finds that the petition is signed by a majority in value and of area of the owners of real property within the territory described in the petition; that all of the lands described in the petition are situated within fifteen miles of the City Limits of the City of Hot Springs, Arkansas; that the purpose for the organization of the district as set out in the petition is a proper purpose under the Statutes authorizing the creation of the district; that the persons suggested by the petitioners to the Court for appointment as Commissioners for the district are property owners in said district.

THE COURT DOES, THEREFORE, order, adjudge and decree that the following territory, to-wit:

A part of Sections 21, 22, 27 and 28, Township 3 South, Range 19 West, all located in Garland County, Arkansas, more particularly described as follows:  
Beginning at the northwest corner of the  $S\frac{1}{2}$ ,  $SW\frac{1}{4}SW\frac{1}{4}$ , Section 22, T3S, R19W; thence East 2,300 feet more or less to a point 500 feet west of the west right-of-way line of Carpenter Dam Road; thence Northeasterly 2,650 feet along a line parallel to the west right-of-way line of Carpenter Dam Road to the north line of the  $SE\frac{1}{2}$ , Section 22, T3S; R19W; thence east 1,040 feet more or less along the north line of said  $SE\frac{1}{2}$  to a point 500 feet east of the east right-of-way line of Carpenter Dam Road; thence Southerly 4,200 feet more or less along a line parallel to the east right-of-way line of Carpenter Dam Road to the North line of the  $S\frac{1}{2}$ ,  $NW\frac{1}{4}NE\frac{1}{4}$ , Section 27, T3S, R19W; thence West 200 feet more or less to the northwest corner of the  $S\frac{1}{2}$ ,  $NW\frac{1}{4}NE\frac{1}{4}$ , Section 27, T3S, R19W; thence South 660 feet to the southeast corner of the  $NE\frac{1}{4}NW\frac{1}{4}$ , Section 27, T3S, R19W; thence West 660 feet more or less to the northeast corner of the  $NW\frac{1}{4}SE\frac{1}{4}NW\frac{1}{4}$ , Section 27, T3S, R19W; thence South 820 feet more or less to the contour line on the surface of the ground at an elevation of 400 feet above mean sea level on the bank of Lake Hamilton; thence following the meanderings of said contour line at an elevation of 400 feet above mean sea level first south-westerly, thence northerly, thence generally westerly, thence northerly and generally northeasterly to the north line of the  $S\frac{1}{2}$ ,  $SE\frac{1}{4}SE\frac{1}{4}$ , Section 21, T3S, R19W; thence west 800 feet more or less to the point of beginning.

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PROFESSIONAL BUILDING - 224 PROSPECT AVENUE  
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all of which property is located in Garland County, Arkansas, be and the same is hereby laid off and established as a water improvement district under the authority of Act 41 of the General Assembly of the State of Arkansas for the year 1941, as amended, and that said district be and the same is hereby established for the purpose of laying water mains to provide water service to the lands included within the said district, and the Commissioners are hereby authorized to extend the water mains in said district beyond the limits of said district in order to make connection with the water mains of the City of Hot Springs, Arkansas, and to execute contracts for the construction of the said water mains as they may deem best; all of the work to be done in the manner and of the materials the Commissioners of the District deem for the best interests thereof; that said district shall be known as CARPENTER DAM ROAD WATER IMPROVEMENT DISTRICT NO.14 of Garland County, Arkansas, and that Dr. Richard F. Graham, Louie Counts and Dr. R. C. Cook be and they are hereby appointed the Commissioners for said district.

  
COUNTY JUDGE

#### CERTIFICATE

I, The undersigned, Clerk of the County Court of Garland County, Arkansas, hereby certify that the above and foregoing is a true and correct copy of an Order made and entered by said County Court on the \_\_\_\_\_ day of March, 1966, a day when said Court was legally convened for the holding of court, and said Order is now of record in Book No. \_\_\_\_\_, Page \_\_\_\_\_, of the Records of said County Court.

WITNESS my hand and the seal of said Court this \_\_\_\_\_ day of March, 1966.

LUCILLE THOMAS, COUNTY CLERK

By \_\_\_\_\_

IN THE COUNTY COURT OF GARLAND COUNTY, ARKANSAS

IN THE MATTER OF THE PETITION  
FOR THE FORMATION OF A WATER  
IMPROVEMENT DISTRICT, INCLUDING  
CERTAIN LANDS IN SECTIONS 19, 20, 29  
and 30, TOWNSHIP 3 SOUTH, RANGE 19  
WEST, AND PART OF SECTIONS 24, 25 and  
26, TOWNSHIP 3 SOUTH, RANGE 20 WEST,  
ALL LOCATED IN GARLAND COUNTY, ARKANSAS

NO. 11,817

ORDER ESTABLISHING  
BURCHWOOD BAY WATER IMPROVEMENT DISTRICT NO. 17  
OF GARLAND COUNTY, ARKANSAS

On this 14<sup>th</sup> day of August, 1972, comes on to be heard  
the Petition of certain property owners for the formation of a  
suburban improvement district and come the petitioners by Wood,  
Smith & Schnipper, their attorneys, for and on behalf of all the  
signers of the petition for the district, and protestants come  
not, there being none, and the petition for the creation of the  
district is submitted to the Court upon the petition, filed in  
multiple copies, the map of the district, the certificates of  
Ray Owen an Abstractor, and Donald R. Brady, an Engineer, as to  
ownership, area and value, the proof of publication by the Hot  
Springs Sentinel Record of the notice of hearing on the  
petition, and statements of counsel, and the Court being fully  
advised as to all matters of law and fact herein, finds:

That the petition, in multiple copies, was filed with  
the Clerk of the County Court of Garland County, Arkansas, on  
the 12th day of July, 1972, and that Lucille Thomas, Clerk of  
the County Court of Garland County, Arkansas, gave notice of the  
filing thereof describing the territory to be included and  
calling upon all persons who wished to be heard on the question  
of establishment of the district to appear before the Court on

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SMITH BUILDING - 123 MARKET STREET  
HOT SPRINGS, ARKANSAS 71901

the day fixed in the notice, namely August 4, 1972, that the notice was in due form of law and was correctly published once a week for two weeks in the Hot Springs Sentinel Record, a daily newspaper of general circulation in Garland County, Arkansas, on the 14th day of July, 1972 and the 21st day of July, 1972, as shown by the proof of publication which has been filed with the Court, and the Notice correctly described the lands to be affected and fixed the time and place of the hearing; that this is the place and date set for all protestants to the formation of the district to be heard; and that there were no protestants to the formation of the district before the bar of this Court.

The Court further finds from the signatures of Ray Owen, abstractor, and Donald R. Brady, Engineer, that the total assessed value of the real property in the territory included in the district is \$ 553,600.00 and that the signers of the petition are the owners of property within the limits of the district to the assessed value of \$309,820.00, constituting \_\_\_\_\_% of the assessed value of the said real property within the district.

The Court further finds that the total area of the lands included within the district is 907 acres, and that the signers of the petition are the owners of property within said district with an area of 570 acres, constituting \_\_\_\_\_% of the area of the real property within the said district.

The Court further finds that all of the said lands are located in Garland County, Arkansas, and that no part of said lands is included within the limits of any town or city; that all of said lands are located within fifteen miles of the City Limits of the City of Hot Springs, Arkansas, a city of the First Class, in the State of Arkansas, having a population of over 10,000 and under 30,000 according to the 1960 Federal Census.

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The Court further finds that the certificates were based upon an examination by Ray Owen and Donald R. Brady, Engineer, of the last assessment of record in the offices of the County Assessor and the ownerships as shown by the last deeds of record in the offices of the Circuit Clerk, both of Garland County, Arkansas, and that the said certificates clearly describe the lands included in the petition.

The Court further finds that the petition is signed by a majority in value and of area of the owners of real property within the territory described in the petition; that all of the lands described in the petition are situated within fifteen miles of the City Limits of the City of Hot Springs, Arkansas; that the purpose for the organization of the district as set out in the petition is a proper purpose under the Statutes authorizing the creation of the district; that the persons suggested by the petitioners to the Court for appointment as Commissioners for the district are property owners in said district.

THE COURT DOES, THEREFORE, order, adjudge and decree that the following territory, to-wit:

A part of Sections 19, 20, 29 & 30, Township 3 South, Range 19 West and a part of Sections 24, 25 and 26, Township 3 South, Range 20 West, all located in Garland County, Arkansas and more particularly described as follows:

Begin at the SW corner of the SW $\frac{1}{4}$ , NE $\frac{1}{4}$ , Section 25, T3S, R20W, which is also the center of said Section 25, thence South along the Center Section line 550 feet more or less to a point on the shore of Lake Hamilton where the elevation is 400 feet above mean sea level to the point of beginning; thence Westerly, Northerly, Easterly and Southerly along said 400 ft. contour line in Section 25, 26 and 24 T3S, R20W to the Southwest corner of Lot 30 of Twin Points Subdivision, thence Northerly along the West line of said Lot 30 to the South R/W line of Twin Points Road, thence Easterly along the South R/W line of Twin Points Road to the Northeast corner of Lot 1, Buster Reed Subdivision, thence Southerly along the East R/W line of Reed Drive to the Southwest corner of said Lot 1, thence Easterly along the North lines of Lots 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, 32 and 34 to the Northeast corner of Lot 34, thence Northerly along the West line of Lot 35 to the South R/W line of Burchwood Bay Road, thence Westerly along the South R/W line of Burchwood Bay Road and Rivers Drive to the Northwest corner

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of Lot 10, Sunset Acres Subdivision, thence Southerly along the West line of said Lot 10 to the SE corner of Lot 14; thence Westerly along the South line of Lots 14 and 13 to the SW corner of said Lot 13; thence Northerly along the West line of said Lot 13 to the South R/W line of Rivers Drive; thence Westerly along the South R/W line of Rivers Drive and Rivers Drive extended, to the West line of Lot 1, Twin Points Subdivision, thence Northerly 140 ft. more or less to the said 400 ft. elevation of Lake Hamilton, thence Northerly along the said 400 ft. contour line in Section 24, T3S, R20W, to a point on the South line of the NE $\frac{1}{4}$ , SW $\frac{1}{4}$  of Section 24, T3S, R20W where the said 400 ft. contour line crosses the said South line, said point being the City Limits of the City of Hot Springs, Arkansas, continue East 850 ft. more or less along the South line of the NE $\frac{1}{4}$ , SW $\frac{1}{4}$  Section 24, T3S, R20W and said City Limits to the SW corner of the NW $\frac{1}{4}$ , SE $\frac{1}{4}$  of Section 24, T3S, R20W thence North along the West line of the said NW $\frac{1}{4}$ , SE $\frac{1}{4}$  which is also the East R/W of Burchwood Bay Road, for 660 ft. more or less to the mid point of the said West line of said NW $\frac{1}{4}$ , SE $\frac{1}{4}$ , thence Easterly 1320 ft. more or less to the East line of the NW $\frac{1}{4}$ , SE $\frac{1}{4}$  Section 24, T3S, R20W, thence South 1980 ft. more or less to the NW corner of the NE $\frac{1}{4}$ , NE $\frac{1}{4}$  Section 25, T3S, R20W, thence Easterly along the North line of Section 25 to the NE corner of said NE $\frac{1}{4}$ , NE $\frac{1}{4}$ , Section 25, T3S, R20W, said point being on the line between Range 19 West and Range 20 West; thence continue East along the North line of the NW $\frac{1}{4}$  of said Section 30, 475.2 ft. to the SE corner of SW $\frac{1}{4}$ , SW $\frac{1}{4}$ , Section 19, T3S, R19W thereof; thence North along West side of the East  $\frac{1}{2}$  of SW $\frac{1}{4}$ , Section 19, T3S, R19W to the North side of Rocky Reef Road, thence East along the North side of Rocky Reef Road to intersection of Rocky Reef Road and Higdon Ferry Road; thence Southerly along East side of Higdon Ferry Road to the South line of NE $\frac{1}{4}$ , SE $\frac{1}{4}$ , Section 19, T3S, R19W; thence East along the South line of NE $\frac{1}{4}$ , SE $\frac{1}{4}$ , Section 19, T3S, R19W and along the South line of the NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , Section 20, T3S, R19W to the East side of Files Landing Road, thence North and Northeasterly along Files Landing Road to a point on the South side of Files Landing Road said point being 358.4 ft. South of the South line of NW $\frac{1}{4}$  of Section 20, T3S, R19W; thence South 89 degrees 5 minutes East 458 ft. to a point; thence South 0 degrees 26 minutes East 375.3 ft. to a point; thence East to the East R/W line of Highway 7 South; thence Northerly to the NW corner of A.B. Smith Subdivision; thence East and Northeasterly along the North side of A.B. Smith Subdivision to the NE corner of Lot 8 of the said A.B. Smith Subdivision; thence South 242.5 ft. to the SE corner of said Lot 8; thence continue South to the South R/W of Dean Road; thence West 80 ft. + to the West R/W line of Kingsway Drive; thence South along the West R/W of Kingsway Drive 160 ft.; thence West 230 ft. + to the East line of the NW $\frac{1}{4}$ , SE $\frac{1}{4}$ , Section 20, T3S, R19W; thence South 990 ft. +; thence West 1320 ft. + to the East line of the SE $\frac{1}{4}$ , SW $\frac{1}{4}$ , said Section 20; thence South 600 ft. + to the NE corner of Lot 1, Block 5, Clifton Place Subdivision; thence continue South 415 ft. to the SE corner of Lot 4, Block 5 of said Clifton Place Subdivision; thence East 657 ft. + to the NE corner of Lot 13, Block 5, Clifton Place Subdivision; thence South 360 ft. + along the East line of Lot 13, Block 5 and Lot 19, Block 1 to a point on the shore of Lake Hamilton where the elevation is 400 ft. above mean sea level; thence Westerly along the 400 ft. contour in the NW $\frac{1}{4}$ , NE $\frac{1}{4}$  and the NE $\frac{1}{4}$ , NW $\frac{1}{4}$  of Sec. 29, T3S, R19W to the East R/W line of Lakeland Drive; thence Southerly along the East R/W line of said Lakeland Drive and its extension, to the 400 ft. contour; thence Westerly follow the meanders of the 400 ft. contour to the East R/W line of Arkansas State Highway No. 7; thence continue across Arkansas State Highway No. 7 to a point on the West R/W where the elevation is 400 ft. above mean sea level; thence continue Westerly to where said 400 ft. contour line crosses the West line of the NW $\frac{1}{4}$ , SE $\frac{1}{4}$  of Sec. 25, T3S, R20W; and the point of beginning.

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all of which property is located in Garland County, Arkansas, be and the same is hereby laid off and established as a water improvement district under the authority of Act 41 of the General Assembly of the State of Arkansas for the year 1941, as amended, and that said district be and the same is hereby established for the purpose of laying water mains to provide water service to the lands included within the said district, and the Commissioners are hereby authorized to extend the water mains in said district beyond the limits of said district in order to make connection with the water mains of the City of Hot Springs, Arkansas, and to execute contracts for the construction of the said water mains as they may deem best; all of the work to be done in the manner and of the materials the Commissioners of the District deem for the best interests thereof; that said district shall be known as BURCHWOOD BAY WATER IMPROVEMENT DISTRICT NO. 17 OF GARLAND COUNTY, ARKANSAS, and that J. D. Burch, J. R. Terrall and Cecil Hubbard be and they are hereby appointed the Commissioners for said district.

*For Terrall*  
COUNTY JUDGE

#### CERTIFICATE

I, the undersigned, Clerk of the County Court of Garland County, Arkansas, hereby certify that the above and foregoing is a true and correct copy of an Order made and entered by said County Court on the 4th day of August, 1972, a day when said Court was legally convened for the holding of court, and said Order is now of record in Book No. W, Page 390, of the Records of said County Court.

WITNESS my hand and the seal of said Court this 7th day of August, 1972.

LUCILLE THOMAS, COUNTY CLERK

By: *Janet Barnett D.C.*

W-390



IN THE COUNTY COURT OF GARLAND COUNTY, ARKANSAS

IN THE MATTER OF THE PETITION  
FOR THE FORMATION OF A WATER  
IMPROVEMENT DISTRICT, INCLUDING  
CERTAIN LANDS IN SECTIONS 28 and  
29, TOWNSHIP 3 SOUTH, RANGE 19  
WEST, ALL LOCATED IN GARLAND  
COUNTY, ARKANSAS

NO. 12,087

ORDER ESTABLISHING  
LAKELAND DRIVE WATER IMPROVEMENT DISTRICT NO. 18  
OF GARLAND COUNTY, ARKANSAS

On this 13<sup>th</sup> day of October, 1972, comes on to be heard  
the Petition of certain property owners for the formation of a  
suburban improvement district and come the petitioners by Wood,  
Smith & Schnipper, their attorneys, for and on behalf of all the  
signers of the Petition for the district, and protestants come  
not, there being none, and the petition for the creation of the  
district is submitted to the Court upon the petition, filed in  
multiple copies, the map of the district, the certificates of  
Ray Owen an Abstractor, and Donald R. Brady, an Engineer, as to  
ownership, area and value, the proof of publication by the Hot  
Springs Sentinel Record of the notice of hearing on the petition,  
and statements of counsel, and the Court being fully advised as  
to all matters of law and fact herein, finds:

That the petition, in multiple copies, was filed with the  
Clerk of the County Court of Garland County, Arkansas, on  
the 13 day of September, 1972, and that Lucille Thomas,  
Clerk of the County Court of Garland County, Arkansas, gave notice  
of the filing thereof describing the territory to be included  
and calling upon all persons who wished to be heard on the question  
of establishment of the district to appear before the Court on  
the day fixed in the notice, namely October 4, 1972, that the  
notice was in due form of law and was correctly published once a  
week for two weeks in the Hot Springs Sentinel Record, a daily  
newspaper of general circulation in Garland County, Arkansas, on

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the 15th day of September, 1972 and the 22nd day of September, 1972, as shown by the proof of publication which has been filed with the Court, and the Notice correctly described the lands to be affected and fixed the time and place of the hearing; that this is the place and date set for all protestants to the formation of the district to be heard; and that there were no protestants to the formation of the district before the bar of this Court.

The Court further finds from the signature of Ray Owen, Abstractor, and Donald R. Brady, Engineer, that the total assessed value of the real property in the territory included in the district is \$667,290.00 and that the signers of the petition are the owners of property within the limits of the district to the assessed value of \$457,220.00, constituting 68 % of the assessed value of the said real property within the district.

The Court further finds that the total area of the lands included within the district is 162 acres, and that the signers of the petition are the owners of property within said district with an area of 115 acres, constituting 71 % of the area of the real property within the said district.

The Court further finds that all of the said lands are located in Garland County, Arkansas, and that no part of said lands is included within the limits of any town or city; that all of said lands are located within fifteen miles of the City limits of the City of Hot Springs, Arkansas, a city of the First Class, in the State of Arkansas, having a population of over 10,000 and under 30,000 according to the 1960 Federal Census.

The Court further finds that the certificates were based upon an examination by Ray Owen and Donald R. Brady, Engineer, of the last assessment of record in the offices of the County Assessor and the ownerships as shown by the last deeds of record in the offices of the Circuit Clerk, both of Garland County, Arkansas, and that the said certificates clearly describe the

lands included in the petition.

The Court further finds that the petition is signed by a majority in value and of area of the owners of real property within the territory described in the petition; that all of the lands described in the petition are situated within fifteen miles of the city limits of the City of Hot Springs, Arkansas; that the purpose for the organization of the district as set out in the petition is a proper purpose under the Statutes authorizing the creation of the district; that the persons suggested by the petitioners to the Court for appointment as Commissioners for the district are property owners in said district.

THE COURT DOES, THEREFORE, ORDER, ADJUDGE AND DECREE that the following territory, to-wit:

A part of Sections 28 & 29, Township 3 South, Range 19 West, Garland County, Arkansas more particularly described as follows:

Begin at intersection of the east right of way line of Lakeland Drive and the Point on the shore of Lake Hamilton where the elevation is 400 feet above mean sea level; said point being the north west corner of Lot 16, Block 2, Clifton Lane Addition; thence, easterly, southerly, and northerly along the meander of the said 400 feet contour in Section 29 and 28; again in Section 29 to the intersection of the east right of way of Lakeland Drive and the said 400 feet contour; said point being on the west line of Lot 7, Block 1, Clifton Lane Addition; thence northerly along the east right of way line of Lakeland Drive to the point of beginning.

all of which property is located in Garland County, Arkansas, be and the same is hereby laid off and established as a water improvement district under the authority of Act 41 of the General Assembly of the State of Arkansas for the year 1941, as amended, and that said district be and the same is hereby established for the purpose of laying water mains to provide water service to the lands included within the said district, and the Commissioners are hereby authorized to extend the water mains in said district beyond the limits of said district in order to make connection with the water mains of the City of Hot Springs, Arkansas, and to execute contracts for the construction of the said water mains as

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they may deem best; all of the work to be done in the manner and of the materials the Commissioners of the District deem for the best interests thereof; that said district shall be known as LAKELAND DRIVE WATER IMPROVEMENT DISTRICT NO. 18 OF GARLAND COUNTY, ARKANSAS, and that E. J. Patterson, Elza Young, and Johnie Simmons be and they hereby are appointed the Commissioners for said district.

*E. J. Patterson*  
COUNTY JUDGE

CERTIFICATE

I, the undersigned, Clerk of the County Court of Garland County, Arkansas, hereby certify that the above and foregoing is a true and correct copy of an Order made and entered by said County Court on the 4TH day of OCTOBER, 1972, a day when said Court was legally convened for the holding of Court, and said Order is now of record in Book No. W, Page 422, of the Records of said County Court.

WITNESS my hand and the seal of said Court this 4TH day of October, 1972.

LUCILLE THOMAS, COUNTY CLERK

*Janet Barnett, D.C.*

WOOD, SMITH & SCHNIFFER  
ATTORNEYS AT LAW  
SMITH BUILDING - 125 MARKET STREET  
HOT SPRINGS, ARKANSAS 71901

IN THE COUNTY COURT OF GARLAND COUNTY, ARKANSAS

IN THE MATTER OF THE PETITION FOR THE FORMATION  
OF A WATER IMPROVEMENT DISTRICT INCLUDING CERTAIN  
LANDS IN SECTIONS 20 AND 21, TOWNSHIP 3 SOUTH,  
RANGE 18 WEST, GARLAND COUNTY, ARKANSAS

cc- 77-647

ORDER ESTABLISHING  
AKERS ROAD WATER IMPROVEMENT DISTRICT NO. 22  
OF GARLAND COUNTY, ARKANSAS

On this 27<sup>th</sup> day of APRIL, 1977, comes on to be heard the Petition of certain property owners for the formation of a suburban improvement district and come the petitioners by Walter G. Wright, their attorney, for and on behalf of all the signers of the petition for the district, and protestants come not there being none, and the petition for the creation of the district is submitted to the Court upon the petition, filed in multiple copies, the map of the district, the certificate of Lois Howard, Abstractor and Wayne Irwin, Engineer, as to ownership and value, the proof of publication by the SENTINEL-REDEAR of the notice of hearing on the petition, and statements of counsel, and the Court being fully advised as to all matters of law and fact herein finds:

That the petition, in multiple copies, was filed with the Clerk of the County Court of Garland County, Arkansas, on the 6<sup>th</sup> day of APRIL, 1977, and that Bill Ridgeway, Clerk of the County Court of Garland County, Arkansas, gave notice of the filing thereof describing the territory to be included and calling upon all persons who wished to be heard on the question of establishment of the district to appear before the Court on the day fixed in the notice, namely APRIL 27<sup>th</sup>, 1977, that the notice was in due form of law and was correctly published once a week for two weeks in the newspaper of general circulation in Garland County, Arkansas, on the 9<sup>th</sup> day of APRIL, 1977, and the 16<sup>th</sup> day of APRIL, 1977, as shown by the proof of publica-

WALTER G. WRIGHT  
ATTORNEY AT LAW  
HOT SPRINGS, ARKANSAS 71901

tion which has been filed with the Court, and the Notice correctly described the lands to be affected and fixed the time and place of the hearing; that this is the place and date set for all protestants to the formation of the district to be heard; and that there are no protestants to the formation of the district before the bar of this Court.

The Court further finds from the signatures of Lois Howard, Abstractor, and Wayne Irwin, Engineer, that the total assessed value of the real property in the territory included in the district is \$286,600<sup>00</sup>, and that the signers of the petition are the owners of property within the limits of the district to the assessed value of \$239,080<sup>00</sup>, constituting 83 % of the assessed value of the said real property within the district.

The Court further finds that the certificate was based upon an examination by Lois Howard, Abstractor, and Wayne Irwin, Engineer, of the last assessment of record in the offices of the County Assessor and the ownerships as shown by the last deeds of record in the offices of the Circuit Clerk, both of Garland County and that the said certificate clearly describes the lands included in the petition.

The Court further finds that the petition is signed by a majority in value of the owners of real property within the territory described in the petition; that all of the lands described in the petition are situated within five (5) miles of the City Limits of the City of Hot Springs, Arkansas, a city of the first class, that none of the lands within the District are located inside the corporate limits of the City of Hot Springs, Arkansas, or inside the corporate limits of any other municipality and wholly within Garland County, Arkansas; that the purpose for the organization of the district as set out in the petition is a proper purpose under the statutes authorizing the creation of the district; that the persons suggested by the petitioners to the

WALTER G. WRIGHT  
ATTORNEY AT LAW  
HOT SPRINGS, ARKANSAS 71901

Court for appointment as Commissioners for the district are property owners in said district.

THE COURT DOES THEREFORE ORDER, ADJUDGE AND DECREE that the following territory, to-wit:

A part of Sections 20 and 21, Township 3 South, Range 18 West, being more particularly described in Schedule "A" (consisting of one (1) sheet) which is attached hereto and incorporated by reference as though set forth word for word and symbol for symbol,

all of which property is located in Garland County, Arkansas, be and the same is hereby laid off and established as a water improvement district under the authority of Act 41 of the General Assembly of the State of Arkansas for the year 1941, as amended, and that said district be and the same is hereby established for the purpose of constructing and installing eight inch, six inch, and two inch water mains, and fire hydrants, and to provide water service and fire protection to the real property located within the boundaries above described, the said water mains to be connected to the main of the Municipal Water System of the City of Hot Springs, Arkansas a city of the first class, and to be extended beyond the boundaries of the district where necessary to effect such connection; all of the work to be done in the manner and of the materials the commissioners of the district shall deem for the best interest thereof; and that the costs thereof be assessed and charged upon the real property in the district, according to the benefits received, and the commissioners are authorized to execute contract for the construction of the said water mains as they may deem best; that said district shall be known as Akers Road Water Improvement District No. 22, of Garland County, Arkansas, and that Richard Ross, Jerry Clark and Bob Bunch be and they are hereby appointed the Commissioners for said district.

  
COUNTY JUDGE

WALTER G. WRIGHT  
ATTORNEY AT LAW  
HOT SPRINGS, ARKANSAS 71901

CERTIFICATE

cc-77-647

I, the undersigned, Clerk of the County Court of Garland County, Arkansas, hereby certify that the above and foregoing is a true and correct copy of an order made and entered by said County Court on the 27th day of April, 1977, a day when said Court was legally convened for the holding of court, and said order is now of record in Book No. X, Page 570, of the Records of said County Court.

WITNESS my hand and the seal of said Court this 27th day of April, 1977.

BILL RIDGEWAY, COUNTY CLERK

BY Bill Ridgeway

WALTER G. WRIGHT  
ATTORNEY AT LAW  
HOT SPRINGS, ARKANSAS 71901



SCHEDULE "A"

A part of Sections 20 and 21, Township 3 South, Range 18 West being more particularly described as follows:

Commencing at the common corner of Sections 16, 17, 20 and 21, Township 3 South, Range 18 West; thence south along the west line of said Section 21 for a distance of 510 feet more or less to the south right of way line of the Chicago Rock Island and Pacific Railroad and the point of beginning of said lands; thence easterly along the south line of said railroad for a distance of 670 feet more or less to the east line of the  $W\frac{1}{2}$  of the  $NW\frac{1}{4}$   $NW\frac{1}{4}$  of said Section 21; thence south a distance of 2290 feet more or less along the east line of the  $W\frac{1}{2}$   $NW\frac{1}{4}$   $NW\frac{1}{4}$  and  $W\frac{1}{2}$   $SW\frac{1}{4}$   $NW\frac{1}{4}$  of said Section 21 to a point on the north line of the  $NW\frac{1}{4}$   $SW\frac{1}{4}$  of said Section 21; thence east along the north line of the said  $NW\frac{1}{4}$   $SW\frac{1}{4}$  for a distance of 660 feet more or less to the NE corner of said  $NW\frac{1}{4}$   $SW\frac{1}{4}$ ; thence south along the east line of said  $NW\frac{1}{4}$   $SW\frac{1}{4}$  for a distance of 1050 feet more or less to the north line of the  $S\frac{1}{2}$  of the  $S\frac{1}{2}$  of said  $NW\frac{1}{4}$   $SW\frac{1}{4}$ ; thence west along the north line of said  $S\frac{1}{2}$   $S\frac{1}{2}$   $NW\frac{1}{4}$   $SW\frac{1}{4}$  for a distance of 1360 feet more or less to the east line of the  $NE\frac{1}{4}$   $SE\frac{1}{4}$  of said Section 20; thence south a distance of 330 feet more or less to the SE corner of said  $NE\frac{1}{4}$   $SE\frac{1}{4}$ ; thence west a distance of 1620 feet more or less along the south line of the  $NE\frac{1}{4}$   $SE\frac{1}{4}$  and the  $NW\frac{1}{4}$   $SE\frac{1}{4}$  of said Section 20 to the east line of Lot 17, Lakeside Subdivision Unit Two; thence southerly along the east line of Lakeside Subdivision Unit Two for a distance of 500 feet more or less to the SE corner of Lot 14 of said subdivision; thence westerly along the south line of said Lot 14 to the 307 foot contour of Lake Catherine above mean sea level; thence westerly and northerly along the said 307 foot contour of Lake Catherine a distance of 2600 feet more or less to the south line of the  $SE\frac{1}{4}$  of the  $NW\frac{1}{4}$  of said Section 20; thence east along the south line of said  $SE\frac{1}{4}$   $NW\frac{1}{4}$  of said Section 20 a distance of 330 feet more or less to the SW corner of the  $SW\frac{1}{4}$   $NE\frac{1}{4}$  of said Section 20; thence north along the west line of the said  $SW\frac{1}{4}$   $NE\frac{1}{4}$  of said Section 20 a distance of 660 feet more or less to the north line of the  $S\frac{1}{2}$  of said  $SW\frac{1}{4}$   $NE\frac{1}{4}$ ; thence east along the north line of the  $S\frac{1}{2}$  of said  $SW\frac{1}{4}$   $NE\frac{1}{4}$  a distance of 1300 feet more or less to the east line of said  $SW\frac{1}{4}$   $NE\frac{1}{4}$ ; thence north along the east line of the  $SW\frac{1}{4}$   $NE\frac{1}{4}$  and the  $NW\frac{1}{4}$   $NE\frac{1}{4}$  of said Section 20 a distance of 1100 feet more or less to the south right of way line of the Chicago Rock Island and Pacific Railroad; thence easterly along the said right of way line for a distance of 1330 feet more or less to the east line of  $NE\frac{1}{4}$   $NE\frac{1}{4}$  Section 20, T 3S, R 18 West and the point of beginning.

WALTER G. WRIGHT  
ATTORNEY AT LAW  
HOT SPRINGS, ARKANSAS 71801

IN THE COUNTY COURT OF GARLAND COUNTY, ARKANSAS

IN THE MATTER OF THE FORMATION OF  
BUENA VISTA WATER IMPROVEMENT  
DISTRICT NO. 23

No. CC-77-760

O R D E R

On this 16th day of May, 1977, came on to be heard by the Court the petitions filed herein for the formation of Buena Vista Water Improvement District No. 23 in accordance with the description of the lands as in said petitions set forth, and at the time set for hearing, petitioners, Larry Brian, Melba Doyle, and Becky Langley, and other interested landowners in the proposed District, were present; and from said petitions, the proof of publication of notice of this hearing, the certificate executed by Ray Owen, Jr. as to the value of the real estate lying within the perimeter description of the proposed District, and other matters and things before the Court, the Court DOTH FIND:

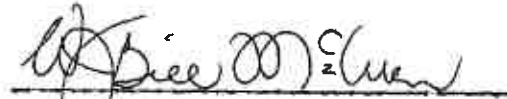
That the petitioners represent a majority in value of the real property located within the proposed District; that proper legal notice of this hearing has appeared in the Sentinel Record, a newspaper published in Hot Springs, Garland County, Arkansas, in compliance with law; that R. A. Loucks, a landowner proposed to be a commissioner of the District, has declined in advance appointment to serve in that capacity, thereby creating a vacancy; that Becky Langley is a proper person to serve as a commissioner in the place and stead of the said R. A. Loucks; and that no objection has been made or reason offered as to why said District should not be formed.

IT IS, THEREFORE, ORDERED that the petitions filed herein for the formation of Buena Vista Water Improvement District No. 23 be and the same are hereby granted, and the said District shall encompass the lands as therein described; that Larry Brian, Melba

X-585

Doyle, and Becky Langley be and they are hereby appointed  
commissioners of Buena Vista Water Improvement District No. 23.

IT IS SO ORDERED, this 16<sup>th</sup> day of May, 1977.

  
COUNTY JUDGE

IN THE COUNTY COURT OF GARLAND COUNTY, ARKANSAS

IN THE MATTER OF THE PETITION  
FOR THE FORMATION OF A WATER  
IMPROVEMENT DISTRICT, INCLUDING  
CERTAIN LANDS IN SECTIONS 29, 30,  
31 and 32, TOWNSHIP 3 SOUTH, RANGE  
19 WEST; SECTIONS 25, 26, 27, 35  
and 36, TOWNSHIP 3 SOUTH, RANGE 20  
WEST; SECTIONS 5, 6, 7, and 8,  
TOWNSHIP 4 SOUTH, RANGE 19 WEST;  
and SECTIONS 1, 2, 3, and 12,  
TOWNSHIP 4 SOUTH, RANGE 20 WEST, ALL  
LOCATED IN GARLAND COUNTY, ARKANSAS

NO. CC-78-554

ORDER ESTABLISHING  
LAKE HAMILTON WATER IMPROVEMENT DISTRICT NO. 28  
OF GARLAND COUNTY, ARKANSAS

On this 31<sup>st</sup> day of March, 1978 comes on to be  
heard the Petition of certain property owners for the formation  
of a suburban improvement district and come the petitioners by  
Wood, Smith, Schnipper & White, their attorneys, for and on  
behalf of all the signers of the petition for the district, and  
protestants come not, there being none, and the petition for  
the creation of the district is submitted to the Court upon the  
petition, filed in multiple copies, the map of the district,  
the certificates of Ray Owen, Jr., an Abstractor,  
and Malone & Hollingsworth, an Engineer, as to ownership, area  
and value, the proof of publication by the Hot Springs Sentinel  
Record of the notice of hearing on the petition, and statements  
of counsel, and the Court being fully advised as to all matters  
of law and fact herein, finds:

That the petition, in multiple copies, was filed with the  
Clerk of the County Court of Garland County, Arkansas on the 6  
day of March, 1978, and that Bill Ridgeway, Clerk of the County  
Court of Garland County, Arkansas, gave notice of the filing  
thereof describing the territory to be included and calling upon  
all persons who wished to be heard on the question of establish-

ment of the district to appear before the Court on the day fixed in the notice, namely the 31 day of March, 1978, the notice was in due form of law and was correctly published once a week for two weeks in the Hot Springs Sentinel Record, a daily newspaper of general circulation in Garland County, Arkansas, on the 16 day of March, 1978 and the 23 day of March, 1978, as shown by the proof of publication which has been filed with the Court, and the Notice correctly described the lands to be affected and fixed the time and place of the hearing; that this is the place of the hearing; that this is the place and date set for all protestants to the formation of the district to be heard; and that there were no protestants to the formation of the district before the bar of this Court.

The Court further finds from the signatures of Ray Owen, Jr., Abstractor, and Malone & Hollingsworth Engineer, that the total assessed value of the real property in the territory included in the district is \$ 2,390,580.00 and that the signers of the petition are the owners of property within the limits of the district to the assessed value of \$ 1,236,020.00, constituting \_\_\_\_\_ % of the assessed value of the said real property within the district.

The Court further finds that the lands included within the district are all located in Garland County, Arkansas, and outside but within five miles of the corporate limits of the City of Hot Springs, Arkansas, a City of the First Class, in the State of Arkansas, having a population of over 10,000 and under 40,000 according to the 1970 Federal Census.

The Court further finds that the certificates were based upon an examination by Ray Owen, Jr., Abstractor, and Malone & Hollingsworth, Engineer, of the last assessment of record in the offices of the County Assessor and the ownerships as shown by the last deeds of record in the offices of the Circuit Clerk, both of Garland County, Arkansas, and that the said certificates clearly describe the lands included in the petition.

The Court further finds that the petition is signed by a majority in value of the owners of real property within the territory described in the petition; that all of the lands described in the petition are situated within five miles of the City Limits of the City of Hot Springs, Arkansas; that the purpose for the organization of the district as set out in the petition is a proper purpose under the Statutes authorizing the creation of the district; that the persons suggested by the petitioners to the Court for appointment as Commissioners for the district are property owners in said district.

THE COURT DOES, THEREFORE, ORDER, ADJUDGE AND DECREE that the following territory, to-wit:

A Part of Sections 29, 30, 31 and 32, Township 3 South, Range 19 West; Sections 25, 26, 27, 35 and 36, Township 3 South, Range 20 West; Sections 5, 6, 7, and 8, Township 4 South, Range 19 West, and Sections 1, 2, 3, and 12, Township 4 South, Range 20 West, all in Garland County, Arkansas and more particularly described as follows:  
Begin at the Southwest Corner of Section 35, Township 3 South, Range 20 West, and run thence North along the West

line of said Section 35 to a point on the shore of Lake Hamilton where the elevation is 400 feet above mean sea level;

Thence Easterly, Northwesterly, Easterly, and Southerly along said 400 foot contour line in Sections 35, 27, 26 and 25, Township 3 South, Range 20 West, to the South line of Section 25, Township 3 South, Range 20 West;

Thence Easterly along the South line of said Section 25 to the Southwest Corner of the Southeast Quarter, Southeast Quarter ( $SE\frac{1}{4}SE\frac{1}{4}$ ) of said Section 25;

Thence Northerly to the Northwest Corner of the Southeast Quarter, Southeast Quarter ( $SE\frac{1}{4}SE\frac{1}{4}$ ) of said Section 25;

Thence Easterly along the North line of the Southeast Quarter, Southeast Quarter ( $SE\frac{1}{4}SE\frac{1}{4}$ ) of said Section 25 to the Northeast Corner of said Southeast Quarter, Southeast Quarter ( $SE\frac{1}{4}SE\frac{1}{4}$ ) said Section 25;

Thence run to the Northwest Corner of the South Half, South Half ( $S\frac{1}{2}S\frac{1}{2}$ ) of Section 30, Township 3 South, Range 19 West;  
Thence run Easterly along the North line of the South Half, South Half ( $S\frac{1}{2}S\frac{1}{2}$ ), Section 30 to the East line of said Section 30;

Thence run Easterly along the North line of the Southwest Quarter, Southwest Quarter ( $SW\frac{1}{4}SW\frac{1}{4}$ ), Section 29, Township 3 South, Range 19 West, to the Northeast Corner of said Southwest Quarter, Southwest Quarter ( $SW\frac{1}{4}SW\frac{1}{4}$ ), Section 29;

Thence run Southerly along the East line of the West Half, West Half ( $W\frac{1}{2}W\frac{1}{2}$ ) of Section 29 and Section 32, Township 3 South, Range 19 West, to the Southeast Corner of the Northwest Quarter, Northwest Quarter ( $NW\frac{1}{4}NW\frac{1}{4}$ ) of said Section 32;

Thence run Westerly along the South line of the Northwest Quarter, Northwest Quarter ( $NW\frac{1}{4}NW\frac{1}{4}$ ) of Section 32 to the Southwest Corner of said Northwest Quarter, Northwest Quarter ( $NW\frac{1}{4}NW\frac{1}{4}$ ) of Section 32;

Thence Southerly along the West line of said Section 32 to the 400 foot contour of Lake Hamilton;

Thence Easterly, Southerly and Westerly along the 400 foot contour of Lake Hamilton in said Section 32 to the West line of said Section 32;

Thence Southerly to the Southwest Corner of said Section 32;

Thence Easterly along the South line of Section 32, Township 3 South, Range 19 West, to the Northwest Corner of Section 5, Township 4 South, Range 19 West;

Thence Southerly along the West line of said Section 5 to the 400 foot contour of Lake Hamilton;

Thence Southeasterly along the 400 foot contour of Lake Hamilton to the point at which the centerline of State Highway 290 intersects the 400 foot contour of Lake Hamilton;

Thence Southwesterly and Southerly along the center of State Highway 290 to the South line of the North Half, North Half, ( $N\frac{1}{2}N\frac{1}{2}$ ), Section 8, Township 4 South, Range 19 West;



Thence Westerly along the South line of the North Half, North Half ( $N\frac{1}{2}N\frac{1}{2}$ ) of said Section 8 to the Southeast Corner of the North Half, North Half ( $N\frac{1}{2}N\frac{1}{2}$ ) of Section 7, Township 4 South, Range 19 West;

Thence Westerly along the South line of the North Half, North Half ( $N\frac{1}{2}N\frac{1}{2}$ ) of said Section 7 to the Southwest Corner of the North Half, North Half ( $N\frac{1}{2}N\frac{1}{2}$ ) of said Section 7;

Thence run to the Southeast corner of the Northeast Quarter Northeast Quarter ( $NE\frac{1}{4}NE\frac{1}{4}$ ), Section 12, Township 4 South, Range 20 West;

Thence Westerly along the South line of the Northeast Quarter, Northeast Quarter ( $NE\frac{1}{4}NE\frac{1}{4}$ ) of said Section 12 to the Southwest Corner of said Northeast Quarter, Northeast Quarter ( $NE\frac{1}{4}NE\frac{1}{4}$ );

Thence Northerly along the West line of the Northeast Quarter, Northeast Quarter ( $NE\frac{1}{4}NE\frac{1}{4}$ ) of Section 12 to the Northwest Corner of said Northeast Quarter, Northeast Quarter ( $NE\frac{1}{4}NE\frac{1}{4}$ );

Thence Westerly along the South line of the Southwest Quarter Southeast Quarter ( $SW\frac{1}{4}SE\frac{1}{4}$ ) Section 1, Township 4 South, Range 20 West to the Southwest Corner of said Southwest Quarter, Southeast Quarter ( $SW\frac{1}{4}SE\frac{1}{4}$ );

Thence Northerly along the West line of the Southwest Quarter, Southeast Quarter ( $SW\frac{1}{4}SE\frac{1}{4}$ ), Section 1, to the Northwest Corner of said Southwest Quarter, Southeast Quarter ( $SW\frac{1}{4}SE\frac{1}{4}$ );

Thence Westerly along the South line of the Northeast Quarter, Southwest Quarter ( $NE\frac{1}{4}SW\frac{1}{4}$ ), Section 1 to the Southwest Corner of said Northeast Quarter, Southwest Quarter ( $NE\frac{1}{4}SW\frac{1}{4}$ );

Thence Northerly along the East line of the West Half, West Half ( $W\frac{1}{2}W\frac{1}{2}$ ) of Section 1 to the Southeast Corner of the Northwest Quarter, Northwest Quarter ( $NW\frac{1}{4}NW\frac{1}{4}$ ) of said Section 1;

Thence Westerly along the South line of the North Half, North Half ( $N\frac{1}{2}N\frac{1}{2}$ ) of Section 1, and Section 2, Township 4 South, Range 20 West, to the Southwest Corner of the Northeast Quarter, Northeast Quarter ( $NE\frac{1}{4}NE\frac{1}{4}$ ) of said Section 2;

Thence Northerly along the West line of the Northeast Quarter, Northeast Quarter ( $NE\frac{1}{4}NE\frac{1}{4}$ ), Section 2 to the Northwest Corner of said Northeast Quarter, Northeast Quarter ( $NE\frac{1}{4}NE\frac{1}{4}$ );

Thence Westerly along the North line of Section 2 to the Northeast Corner of the Northwest Quarter, Northwest Quarter ( $NW\frac{1}{4}NE\frac{1}{4}$ ) of said Section 2;

Thence Southerly along the East line of the West Half, West Half ( $W\frac{1}{2}W\frac{1}{2}$ ), Section 2 to the Southeast Corner of the Southwest Quarter, Northwest Quarter ( $SW\frac{1}{4}NW\frac{1}{4}$ ) of Section 2;

Thence Westerly along the South line of the North Half ( $N\frac{1}{2}$ ) of Section 2 and Section 3, Township 4 South, Range 20 West, to the Southwest Corner of the East Half, East Half, East Half ( $E\frac{1}{2}E\frac{1}{2}E\frac{1}{2}$ ) of Section 3;

Thence Northerly along the West line of the East Half, East Half, East Half ( $E\frac{1}{2}E\frac{1}{2}E\frac{1}{2}$ ) of Section 3 to the North line of Section 3;

Thence run along the North line of Section 3 to the Point of Beginning.

all of which property is located in Garland County, Arkansas, be and the same is hereby laid off and established as a water improvement district under the authority of Act 41 of the General Assembly of the State of Arkansas for the year 1941, as amended, and that said district be and the same is hereby established for the purpose of constructing a complete water distribution system, including, without limitation, mains and extensions therefrom, with all necessary appurtenances thereto, to distribute water (for which a water service charge may be made) to the real property located within the district (in the Lake Hamilton area) the said water mains and appurtenances thereto to be connected with and operated by the Municipal Water System of the City of Hot Springs, Arkansas; and the Commissioners are hereby authorized to extend the said water mains and service beyond the limits of the said district where deemed necessary for the benefit of the district, and to execute contracts for the construction of the said water improvements as they may deem best; all of the work to be done in the manner and of the materials the Commissioners of the district deem for the best interests thereof; that said district shall be known as LAKE HAMILTON WATER IMPROVEMENT DISTRICT NO. 28 OF GARLAND COUNTY, ARKANSAS, and that

Bruce Anthony , Conway Carrigan  
and Robert E. Matthews be and they are hereby  
appointed the Commissioners for said district.

Will McCuen  
WILL MCCUEN  
COUNTY JUDGE

CERTIFICATE

I, the undersigned, Clerk of the County Court of Garland County, Arkansas, hereby certify that the above and foregoing is a true and correct copy of an Order made and entered by said County Court on the 31st day of March, 1978, a day when said Court was legally convened for the holding of court, and said Order is now of record in Book No. Y, Page 136, of the Records of said County Court.

WITNESS my hand and the seal of said Court this 31st day of March, 1978.

BILL RIDGEWAY, COUNTY CLERK  
GARLAND COUNTY, ARKANSAS

By

*Danny Johnson*

IN THE COUNTY COURT OF GARLAND COUNTY, ARKANSAS

IN THE MATTER OF THE PETITION  
FOR THE FORMATION OF A WATER  
IMPROVEMENT DISTRICT, INCLUDING  
CERTAIN LANDS IN SECTIONS 27,  
34 AND 35, TOWNSHIP 2 SOUTH,  
RANGE 20 WEST, AND SECTIONS 3,  
8, 9, 10 AND 16, TOWNSHIP 3  
SOUTH, RANGE 20 WEST, ALL  
LOCATED IN GARLAND COUNTY, ARKANSAS

NO. CC-78-720

ORDER ESTABLISHING  
PINEY WATER IMPROVEMENT DISTRICT NO. 30  
OF GARLAND COUNTY, ARKANSAS

On this 12th day of May, 1978 comes on to be  
heard the Petition of certain property owners for the formation  
of a suburban improvement district and come the petitioners by  
Wood, Smith, Schnipper & White, their attorneys, for and on  
behalf of all the signers of the petition for the district, and  
protestants come not, there being none, and the petition for  
the creation of the district is submitted to the Court upon the  
petition, filed in multiple copies, the map of the district,  
the certificates of Ray Owen, Jr., an Abstractor, and Jim Alford  
of Alford Engineering Co., an Engineer, as to ownership, area  
and value, the proof of publication by the Hot Springs Sentinel  
Record of the notice of hearing on the petition, and statements  
of counsel, and the Court being fully advised as to all matters  
of law and fact herein, finds:

That the petition, in multiple copies, was filed with the  
Clerk of the County Court of Garland County, Arkansas on the 6th  
day of May, 1978, and that Bill Ridgeway, Clerk of  
the County Court of Garland County, Arkansas, gave notice of the  
filing thereof describing the territory to be included and calling  
upon all persons who wished to be heard on the question of establish-  
ment of the district to appear before the Court on the day fixed in

the notice, namely the 12 day of May, 1978, that the notice was in due form of law and was correctly published once a week for two weeks in the Hot Springs Sentinel Record, a daily newspaper of general circulation in Garland County, Arkansas, on the        day of April, 1978 and the        day of April, 1978, as shown by the proof of publication which has been filed with the Court, and the Notice correctly described the lands to be affected and fixed the time and place of the hearing; that this is the place of the hearing; that this is the place and date set for all protestants to the formation of the district to be heard; and that there were no protestants to the formation of the district before the Bar of this Court.

The Court further finds from the signatures of Ray Owen, Jr., Abstractor, and Jim Alford of Alford Engineering Co., Engineer, that the total assessed value of the real property in the territory included in the district is \$ 1,400,620.00 and that the signers of the petition are the owners of property within the limits of the district to the assessed value of \$ 760,230.00, constituting 54.3 % of the assessed value of the said real property within the district.

The Court further finds that the lands included within the district are all located in Garland County, Arkansas, and outside but within five miles of the corporate limits of the City of Hot Springs, Arkansas, a City of the First Class, in the State of Arkansas, having a population of over 10,000 and under 40,000 according to the 1970 Federal Census.

The Court further finds that the certificates were based upon an examination by Ray Owen, Jr., Abstractor, and Alford Engineering Co., Engineers, of the last assessment of record in the offices of the County Assessor and the ownerships as shown by the last deeds of record in the offices of the Circuit Clerk, both of Garland County, Arkansas, and that the said certificates clearly describe the lands included in the petition.

The Court further finds that the petition is signed by a majority in value of the owners of real property within the territory described in the petition; that all of the lands described in the petition are situated within five miles of the City Limits of the City of Hot Springs, Arkansas; that the purpose for the organization of the district as set out in the petition is a proper purpose under the Statutes authorizing the creation of the district; that the persons suggested by the petitioners to the Court for appointment as Commissioners for the district are property owners in said district.

THE COURT DOES, THEREFORE, ORDER, ADJUDGE AND DECREE that the following territory, to-wit:

Commencing at the intersection of East R/W line (extended) State Highway 227 and South R/W line U. S. Highway 270 West in Section 3, Township 3 South, Range 20 West, Garland County, run Southeasterly along the South right-of-way line to the intersection of the 400 foot contour line of Lake Hamilton;

Thence Southerly, Westerly, and Northerly along and around the 400 foot contour mean sea level (MSL) of Lake Hamilton through Sections 3, 10, 9, 16 and 8, Township 3

South, Range 20 West, to the intersection of the North line of SE $\frac{1}{4}$ NW $\frac{1}{4}$  Section 8, Township 3 South, Range 20 West;  
Thence East along the North line of said SE $\frac{1}{4}$ NW $\frac{1}{4}$  and continue Easterly along North line of the South Half of the NE $\frac{1}{4}$  said Section 8 to the Northeast Corner of the SE $\frac{1}{4}$ NE $\frac{1}{4}$  said Section 8;  
Thence South along East line of said Section 8 to the intersection of said East line with the North R/W line of Thornton Ferry Road;  
Thence Easterly along the said North R/W line of Thornton Ferry Road to the intersection of the West line of Section 10, Township 3 South, Range 20 West;  
Thence Northerly to the NW Corner of said Section 10;  
Thence Easterly along the North line of said Section 10 to the West line of the East Half SW $\frac{1}{4}$  SW $\frac{1}{4}$  said Section 3;  
Thence Northerly along said West line to North line of the SW $\frac{1}{4}$  SW $\frac{1}{4}$  said Section 3;  
Thence Easterly to the Southwest Corner of NE $\frac{1}{4}$  SW $\frac{1}{4}$  said Section 3;  
Thence Northerly along the West line of East Half of the West Half of said Section 3 to the Southwest Corner NE $\frac{1}{4}$ NW $\frac{1}{4}$  said Section 3;  
Thence Westerly along the South line of the NW $\frac{1}{4}$  NW $\frac{1}{4}$  said Section 3 to the West Line of said Section 3;  
Thence Northerly along the West line said Section 3 to the Northwest Corner of said Section 3;  
Thence Easterly along the section line between Section 34, Township 2 South and Section 3, Township 3 South to the Southwest Corner of the SE $\frac{1}{4}$  SE $\frac{1}{4}$  Section 34, Township 2 South, Range 20 West;



Thence Northerly to the Northwest Corner of SE $\frac{1}{4}$  SE $\frac{1}{4}$  said Section 34;

Thence Westerly to the Southwest Corner of the NW $\frac{1}{4}$  SE $\frac{1}{4}$  said Section 34;

Thence Northerly to the Northwest Corner NW $\frac{1}{4}$  SE $\frac{1}{4}$  said Section 34;

Thence West to the Southwest Corner of the SE $\frac{1}{4}$  SE $\frac{1}{4}$  NW $\frac{1}{4}$  said Section 34;

Thence North to the Northwest Corner of the SE $\frac{1}{4}$  SE $\frac{1}{4}$  NW $\frac{1}{4}$  said Section 34;

Thence West to the Southwest Corner of the NE $\frac{1}{4}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$  said Section 34;

Thence North to the Northwest Corner of the NE $\frac{1}{4}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$  said Section 34;

Thence East to the Southwest Corner NE $\frac{1}{4}$  NW $\frac{1}{4}$  said Section 34;

Thence North to the intersection of the North R/W line of Blake Snake Road and the West line of the SE $\frac{1}{4}$  SW $\frac{1}{4}$  Section 27, Township 2 South, Range 20 West;

Thence East along the North R/W line of Black Snake Road to its intersection with the Southwest R/W line of the Missouri Pacific Railroad;

Thence Easterly and Southerly along the SW R/W line of same railroad to the intersection with the South line of Section 35, Township 2 South, Range 20 West;

Thence West along the South line of said Section 35 and said Section 34 to the intersection with the East R/W line of State Highway 227;

Thence South along said East R/W line (extended) to the intersection with the South R/W line of U. S. Highway 270 West, the Point of Beginning.

all of which property is located in Garland County, Arkansas, be and the same is hereby laid off and established as a water improvement district under the authority of Act 41 of the General Assembly of the State of Arkansas for the year 1941, as amended, and that said district be and the same is hereby established for the purpose of constructing a complete water distribution system, including, without limitation, mains and extensions therefrom, laterals, fire hydrants, and all necessary appurtenances thereto to distribute water (for which a water service charge may be made) to the real property situated within the district as hereinabove described, in the Highway 270 West (Piney) area, the said water mains and appurtenances thereto to be connected with and operated by the Municipal Water System of the City of Hot Springs, Arkansas; and the Commissioners are hereby authorized to extend the said water mains and service beyond the limits of the said district where deemed necessary for the benefit of the district, and to execute contracts for the construction of the said water improvements as they may deem best; all of the work to be done in the manner and of the materials the Commissioners of the district deem for the best interests thereof; that said district shall be known as the PINEY WATER IMPROVEMENT DISTRICT NO. 30 OF GARLAND COUNTY, ARKANSAS, and that Col. George Leavitt, Alton Baldwin and Lawrence Powell, be and they are hereby appointed the Commissioners for said District.

W. J. (Bill) McCuen  
W. J. (BILL) MCCUEN, COUNTY JUDGE

CERTIFICATE

I, the undersigned, Clerk of the County Court of Garland County, Arkansas, hereby certify that the above and foregoing is a true and correct copy of an Order made and entered by said County Court on the 12th day of May, 1978, a day when said Court was legally convened for the holding of court, and said Order is now of record in Book No. Y, Page 169, of the Records of said County Court.

WITNESS my hand and the seal of said Court this 12th day of May, 1978.

BILL RIDGEWAY, COUNTY CLERK  
GARLAND COUNTY, ARKANSAS

By Sylvia Hamilton

IN THE COUNTY COURT OF GARLAND COUNTY, ARKANSAS

IN THE MATTER OF THE PETITION FOR THE  
FORMATION OF A WATER IMPROVEMENT  
DISTRICT, INCLUDING CERTAIN LANDS IN  
SECTIONS 9, 10, 15, 16, 17, 18, 20, 21, 22,  
23, 27, 29, 30, 31 AND 32, TOWNSHIP 3 SOUTH,  
RANGE 20 WEST; SECTIONS 25, 26 AND 36,  
TOWNSHIP 3 SOUTH, RANGE 21 WEST, ALL  
LOCATED IN GARLAND COUNTY, ARKANSAS

NO. CC-80-1003

ORDER ESTABLISHING  
HIGHWAY 70 WEST WATER IMPROVEMENT DISTRICT NO. 31  
OF GARLAND COUNTY, ARKANSAS

On the 21st day of April, 1980, came on to be heard the Petition of certain property owners for the formation of a suburban improvement district with the petitioners appearing by and through their attorney, John B. Robbins, and the protestants appearing by and through their attorney, David M. Love, and the Petition for the creation of the district was submitted to the Court upon the Petition, filed in multiple copies, a Certificate of B & F Engineering, Inc., an engineering firm, and the Affidavit of Don E. Beavers, an engineer, as to ownership, area and value, the proof of publication by the Hot Springs Sentinel Record of the Notice of hearing on the Petition, letters filed with the Court requesting that certain petitioners' names be withdrawn as petitioners in this cause, the testimony of witnesses called by the petitioners and the protestants, and statements of counsel, and the Court being fully advised as to all matters of law and fact herein, finds:

I.

That the Petition, in multiple copies, was filed with the Clerk of the County Court of Garland County, Arkansas, on March 31, 1980, April 16,

1980, and April 21, 1980, and that Bill Ridgeway, Clerk of the County Court of Garland County, Arkansas, gave notice of the filing thereof describing the territory to be included and calling upon all persons who wished to be heard on the question of establishment of the district to appear before the Court on the day fixed in the notice, namely the 21st day of April, 1980, the notice was in due form of law and was correctly published once a week for two weeks in the Hot Springs Sentinel Record, a daily newspaper of general circulation in Garland County, Arkansas, on the 4th day of April, 1980 and the 11th day of April, 1980, as shown by the proof of publication which has been filed with the Court, and the notice correctly described the lands to be affected and fixed the time and place of the hearing; that the 21st day of April, 1980, was the date set for all protestants to the formation of the district to be heard and that the County Courtroom of the Garland County Courthouse was the place of said hearing; and that the protestants to the formation of the district appeared before the bar of this Court and were heard at that time and place; and the Court finds that based upon the testimony presented by Helen Roberts, Norman A. Isgrigg, Horace McGuire, James M. Little, Henry Ayers, Randolph Keith and Charles Felt, that said persons should be granted leave to withdraw as petitioners in this cause. That there was no evidence to support the requests made by the other protestants to withdraw as petitioners and their requests should be denied.

II.

The Court further finds from the Certificate of B & F Engineering, Inc., and the Affidavit of Don E. Beavers, an engineer, that all of the lands within the proposed district are located in Garland County, Arkansas, and 4,008.87 acres of which are situated outside but within five miles of the corporate limits of the City of Hot Springs, Arkansas, and 733.77 acres of

which are located outside of the five-mile radius of the corporate limits of the City of Hot Springs, Arkansas, a city of the first class. That after deleting the signatures of the remonstrants named in paragraph I above, said Petitions are signed by the owners of real property described in said Petitions and within the proposed district representing ownership of 2,536.85 acres of which 457.5 acres lie outside of the five-mile radius of the corporate limits of the City of Hot Springs, Arkansas.

III.

The Court further finds that the total assessed value of the real property in the territory included in the district is \$4,588,250.00, of which \$4,108,850.00 represents property located outside but within five miles of the corporate limits of the City of Hot Springs, Arkansas, and that \$479,400.00 of which represents property located outside of a five-mile radius of the corporate limits of the City of Hot Springs, Arkansas, a city of the first class. That after deleting the signatures of the remonstrants named in paragraph I above, said Petitions are signed by the owners of real property described in said Petitions having an assessed value of \$2,651,582.00, of which \$322,530.00 represents the assessed evaluation of that portion of the subject property lying outside of the five-mile radius of the corporate limits of the City of Hot Springs, Arkansas, a city of the first class.

IV.

The Court further finds that the owners of the real property signing said Petitions, after deleting the signatures of the remonstrants named in paragraph I above, constitute a majority of the value of the total assessments and acreage contained in said district, and a majority of the value of the total

assessments and acreage of that portion of the proposed district lying outside of a five-mile radius of the corporate limits of the City of Hot Springs, Arkansas, a city of the first class.

V.

The Court further finds that the Certificate of B & F Engineering, Inc., and Affidavit of Don E. Beavers, an engineer, were based upon an examination of the last assessment of record in the offices of the County Assessor and the ownerships as shown by the last Deeds of record in the offices of the Circuit Clerk, both of Garland County, Arkansas, and that the said Certificate clearly describes the lands included in the Petition.

VI.

The Court further finds that the purpose for the organization of the district as set out in the Petition is a proper purpose under the statutes for authorizing the creation of the district; that the persons proposed by the petitioners to the Court at the hearing of this cause for appointment as commissioners for the district, namely David Puckett, James Bryant and Oliver A. Dodson, are property owners in said district, and possess integrity and good business ability. That the petitions are identical within the meaning of Act 41 of Arkansas Acts of 1941, as amended, notwithstanding the fact that some of the Petitions contained the names of David Puckett, Alex Strawn and Clifford Bearden, while later Petitions contained the names of David Puckett, James Bryant and Oliver A. Dodson. That no petitioner testified at the hearing on this cause that he would not have joined in the Petition if he had known that Alex Strawn and Clifford Bearden would not be appointed to serve as commissioners.

THE COURT DOES, THEREFORE, ORDER, ADJUDGE AND  
DECREE that the following territory, to-wit:

A part of Sections 9, 10, 15, 16, 17, 18, 20, 21, 22, 23,  
27, 29, 30, 31 and 32, Township 3 South, Range 20 West,  
and Sections 25, 26 and 36, Township 3 South, Range 21  
West located in Garland County, Arkansas, more particu-  
larly described as follows:

Beginning at the common corner of Sections 21, 22, 27 and  
28, Township 3 South, Range 20 West; thence West along  
the South line of said Sections 21 and 20 a distance of 9240  
feet, more or less, to the NE corner of the NW $\frac{1}{4}$  NW $\frac{1}{4}$  of  
said Section 29; thence South along the East line of W $\frac{1}{2}$  W $\frac{1}{2}$   
of said Section 29 and 32 a distance of 8570 feet, more or  
less, to the centerline of Marion Anderson Road; thence  
Westerly along the centerline of Marion Anderson Road to  
the East line of said Section 31; thence South along the East  
line of said Section 31 to the SE corner of the NE $\frac{1}{4}$  SE $\frac{1}{4}$  of  
said Section 31; thence West along the South line of said  
NE $\frac{1}{4}$  SE $\frac{1}{4}$  1320 feet, more or less, to the SW corner of said  
NE $\frac{1}{4}$  SE $\frac{1}{4}$ ; thence North 2640 feet, more or less, along the  
West line of the E $\frac{1}{2}$  E $\frac{1}{2}$  of said Section 31 to the NE corner  
of the SW $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 31; thence West 3960 feet,  
more or less, along the South line N $\frac{1}{2}$  N $\frac{1}{2}$  of said Section 31  
to the West line of said Section 31; thence West along the  
South line of the NE $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 36, Township 3  
South, Range 21 West, a distance of 1320 feet, more or  
less, to the SW corner of said NE $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 36;  
thence North 1320 feet, more or less, along the West line  
of said NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 36 to the South line of Section  
25; thence West 3960 feet, more or less, along the South  
line of said Section 25 to the common corner of Sections  
25, 26, 35 and 36 of Township 3 South, Range 21 West;  
thence West along the South line of said Section 26 a  
distance of 3960 feet, more or less, to the SW corner of  
the SE $\frac{1}{4}$  SW $\frac{1}{4}$  of said Section 26; thence North 1320 feet,  
more or less, to the NW corner of last said SE $\frac{1}{4}$  SW $\frac{1}{4}$ ;  
thence East along the North line of said SE $\frac{1}{4}$  SW $\frac{1}{4}$  and the  
SW $\frac{1}{4}$  SE $\frac{1}{4}$  2640 feet, more or less, to the NE corner of the  
SW $\frac{1}{4}$  SE $\frac{1}{4}$  of said Section 26; thence North along the West  
line of the E $\frac{1}{2}$  E $\frac{1}{2}$  of said Section 26, 2640 feet, more or  
less, to the NW corner of the SE $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 26;  
thence East along the North line of the last said SE $\frac{1}{4}$  NE $\frac{1}{4}$   
1320 feet, more or less, to the NW corner of the SW $\frac{1}{4}$  NW $\frac{1}{4}$   
of Section 25, Township 3 South, Range 21 West; thence  
East along the North line of the S $\frac{1}{2}$  N $\frac{1}{2}$  of said Section 25 a  
distance of 5280 feet, more or less, to the West line of  
Section 30, Township 3 South, Range 20 West; thence North  
1320 feet, more or less, along the West line of said Section  
30 to the common corner of Sections 19 and 30, Township 3  
South, Range 20 West; thence East 5280 feet, more or less,  
along the North line of said Section 30 to the common  
corners of Sections 19, 20, 29 and 30, Township 3 South,  
Range 20 West; thence North 1320 feet, more or less,



along the West line of said Section 20 to the NW corner of the SW  $\frac{1}{4}$  SW  $\frac{1}{4}$  of said Section 20; thence East along the North line of said SW  $\frac{1}{4}$  SW  $\frac{1}{4}$  1320 feet, more or less, to the NE corner of said SW  $\frac{1}{4}$  SW  $\frac{1}{4}$ ; thence North along the West line of the NE  $\frac{1}{4}$  SW  $\frac{1}{4}$  of said Section 20 a distance of 1320 feet, more or less, to the NW corner of said NE  $\frac{1}{4}$  SW  $\frac{1}{4}$ ; thence East 3960 feet, more or less, along the North line of the S  $\frac{1}{2}$  of said Section 20 to the East line of said Section 20; thence North 1320 feet, more or less, along the East line of Section 20 to the NE corner of the SE  $\frac{1}{4}$  NE  $\frac{1}{4}$  of said Section 20; thence West 5280 feet, more or less, along the South line of the N  $\frac{1}{2}$  N  $\frac{1}{2}$  of said Section 20 to the West line of said Section 20; thence North along the West line of said Section 20 a distance of 1320 feet, more or less, to the common corners of Sections 17, 18, 19 and 20, Township 3 South, Range 20 West; thence West 2640 feet, more or less, along the South line of said Section 18 to the SW corner of the SE  $\frac{1}{4}$  of said Section 18; thence North along the West line of said SE  $\frac{1}{4}$  to the 400-foot contour of Lake Hamilton; thence Easterly and Southerly along and with the said 400-foot contour of Lake Hamilton a distance of 82,000 feet, more or less, to the intersection of said 400-foot contour line and the South line of Lot 29, Block F, Lakeview Subdivision located in the SE  $\frac{1}{4}$  SE  $\frac{1}{4}$  of Section 22, Township 3 South, Range 20 West;

Thence Southwesterly along the South line of said Lot 29, Block F, Lakeview Subdivision a distance of 230 feet, more or less, to the East line of the SW  $\frac{1}{4}$  SE  $\frac{1}{4}$  of said Section 22;

Thence South along the East line of the SW  $\frac{1}{4}$  SE  $\frac{1}{4}$  of said Section 22 to the centerline of Marion Anderson Road;

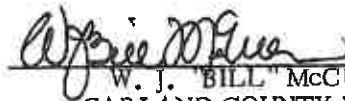
Thence Westerly along the centerline of Marion Anderson Road a distance of 4000 feet, more or less, to the intersection of the South line of said Section 22;

Thence West along the South line of said Section 22 a distance of 100 feet, more or less, to the common corner of Sections 21, 22, 27 and 28, Township 3 South, Range 20 West, which is the point of beginning.

all of which property is located in Garland County, Arkansas, be and the same is hereby laid off and established as a water improvement district under the authority of Act 41 of the General Assembly of the State of Arkansas for the year 1941, as amended, and that said district be and the same is hereby established for the purpose of constructing a complete water distribution system, including, without limitation, mains and extensions therefrom, with all necessary appurtenances thereto, to distribute water (for which a water service charge may be made) to the real property located within the district

Page 7 - Order Establishing Highway 70 West Water Improvement  
District No. 31 of Garland County, Arkansas

(in the Highway 70 West area); and the Commissioners are hereby authorized to extend the said water mains and service beyond the limits of the said district where deemed necessary for the benefit of the district, and to execute contracts for the construction of the said water improvements as they deem best; all of the work to be done in the manner and of the materials that the Commissioners of the district deem for the best interest thereof; that said district shall be known as HIGHWAY 70 WEST WATER IMPROVEMENT DISTRICT NO. 31 OF GARLAND COUNTY, ARKANSAS, and that David Puckett, James Bryant and Oliver A. Dodson be and they are hereby appointed the Commissioners for said District.



W. J. BILL McCUEN  
GARLAND COUNTY JUDGE

5-6-80

CERTIFICATE

I, the undersigned, Clerk of the County Court of Garland County, Arkansas, hereby certify that the above and foregoing is <sup>the original</sup> ~~a true and correct~~ ~~copy of~~ Order made and entered by said County Court on the 6<sup>th</sup> day of May, 1980, following and as a result of a hearing held before said Court on April 21, 1980, a day when said Court was legally convened for the holding of court, and said Order is now of record in Book No. 2, Page 73, of the Records of said County Court.

WITNESS my hand and the seal of said Court this 6<sup>th</sup> day of May, 1980.

BILL RIDGEWAY, County Clerk  
Garland County, Arkansas

By

James Johnson  
Deputy Clerk

IN THE COUNTY COURT OF GARLAND COUNTY, ARKANSAS

IN THE MATTER OF THE PETITION FOR THE  
FORMATION OF A WATER IMPROVEMENT  
DISTRICT, INCLUDING CERTAIN LANDS IN  
SECTIONS 9, 10, 15, 16, 17, 18, 20, 21, 22,  
23, 27, 29, 30, 31 AND 32, TOWNSHIP 3 SOUTH,  
RANGE 20 WEST; SECTIONS 25, 26 AND 36,  
TOWNSHIP 3 SOUTH, RANGE 21 WEST, ALL  
LOCATED IN GARLAND COUNTY, ARKANSAS

NO. CC-80-1003

OATH OF COMMISSIONER

I, Oliver A. Dodson, do solemnly swear that I shall support  
the Constitution of the United States and the Constitution of the State of  
Arkansas, and that I shall faithfully discharge my duties as Commissioner of  
HIGHWAY 70 WEST WATER IMPROVEMENT DISTRICT NO. 31 OF GARLAND  
COUNTY, ARKANSAS, and that I shall not be interested, directly or  
indirectly, in any contract let by the Board of Commissioners of said  
HIGHWAY 70 WEST WATER IMPROVEMENT DISTRICT NO. 31 OF GARLAND  
COUNTY, ARKANSAS.

WITNESS my hand and seal this 9<sup>th</sup> day of May, 1980.

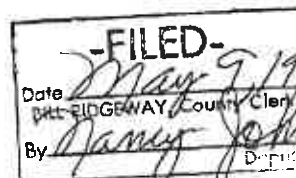
Oliver A. Dodson  
Oliver A. Dodson

STATE OF ARKANSAS    )  
                                  ) SS.  
COUNTY OF GARLAND )

Subscribed and sworn to before me this 9<sup>th</sup> day of May, 1980.

Shirley Marie Warr  
Notary Public

My Commission Expires:  
My Commission Expires Sept. 28, 1982



IN THE COUNTY COURT OF GARLAND COUNTY, ARKANSAS

IN THE MATTER OF THE PETITION FOR THE  
FORMATION OF A WATER IMPROVEMENT  
DISTRICT, INCLUDING CERTAIN LANDS IN  
SECTIONS 9, 10, 15, 16, 17, 18, 20, 21, 22,  
23, 27, 29, 30, 31 AND 32, TOWNSHIP 3 SOUTH,  
RANGE 20 WEST; SECTIONS 25, 26 AND 36,  
TOWNSHIP 3 SOUTH, RANGE 21 WEST, ALL  
LOCATED IN GARLAND COUNTY, ARKANSAS

NO. CC-80-1003

OATH OF COMMISSIONER

I, David Puckett, do solemnly swear that I shall support  
the Constitution of the United States and the Constitution of the State of  
Arkansas, and that I shall faithfully discharge my duties as Commissioner of  
HIGHWAY 70 WEST WATER IMPROVEMENT DISTRICT NO. 31 OF GARLAND  
COUNTY, ARKANSAS, and that I shall not be interested, directly or  
indirectly, in any contract let by the Board of Commissioners of said  
HIGHWAY 70 WEST WATER IMPROVEMENT DISTRICT NO. 31 OF GARLAND  
COUNTY, ARKANSAS.

WITNESS my hand and seal this 9<sup>th</sup> day of May, 1980.

David Puckett  
David Puckett

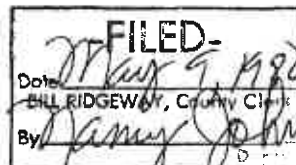
STATE OF ARKANSAS )  
                              ) SS.  
COUNTY OF GARLAND )

Subscribed and sworn to before me this 9<sup>th</sup> day of May, 1980.

Shirley Marie Linn  
Notary Public

My Commission Expires:

My Commission Expires Sept. 28, 1982



IN THE COUNTY COURT OF GARLAND COUNTY, ARKANSAS

IN THE MATTER OF THE PETITION FOR THE  
FORMATION OF A WATER IMPROVEMENT  
DISTRICT, INCLUDING CERTAIN LANDS IN  
SECTIONS 9, 10, 15, 16, 17, 18, 20, 21, 22,  
23, 27, 29, 30, 31 AND 32, TOWNSHIP 3 SOUTH,  
RANGE 20 WEST; SECTIONS 25, 26 AND 36,  
TOWNSHIP 3 SOUTH, RANGE 21 WEST, ALL  
LOCATED IN GARLAND COUNTY, ARKANSAS

NO. CC-80-1003

OATH OF COMMISSIONER

I, James L. Bryant, do solemnly swear that I shall support  
the Constitution of the United States and the Constitution of the State of  
Arkansas, and that I shall faithfully discharge my duties as Commissioner of  
HIGHWAY 70 WEST WATER IMPROVEMENT DISTRICT NO. 31 OF GARLAND  
COUNTY, ARKANSAS, and that I shall not be interested, directly or  
indirectly, in any contract let by the Board of Commissioners of said  
HIGHWAY 70 WEST WATER IMPROVEMENT DISTRICT NO. 31 OF GARLAND  
COUNTY, ARKANSAS.

WITNESS my hand and seal this 9<sup>th</sup> day of May, 1980.

James L. Bryant  
James L. Bryant

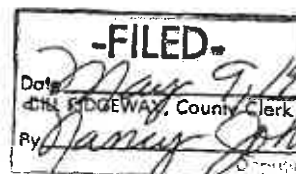
STATE OF ARKANSAS )  
                              ) SS.  
COUNTY OF GARLAND )

Subscribed and sworn to before me this 9<sup>th</sup> day of May, 1980.

Shirley Marie Larr  
Notary Public

My Commission Expires:

My Commission Expires Sept. 28, 1982



OATH OF ASSESSOR

I, RAY OWEN, JR., do solemnly swear that I will well and truly assess to the best of my knowledge and ability, the value of all the benefits to be received by each land owner by reason of the proposed improvements as affecting each of the lots, blocks, or parcels of land embraced within the limits of Highway 70 West Water Improvement District No. 31 of Garland County, Arkansas.

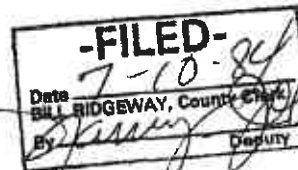
  
RAY OWEN, JR.

Subscribed and sworn to before me this 15th day of February, 1982.

  
NOTARY PUBLIC

My Commission Expires:

January 2, 1985



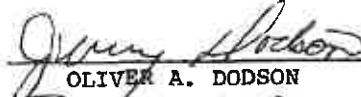


HIGHWAY 70 WEST WATER IMPROVEMENT DISTRICT NO. 31  
OF GARLAND COUNTY, ARKANSAS

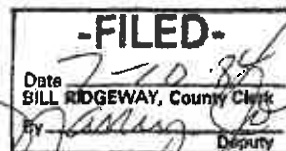
REPORT OF COMMISSIONERS

TO THE COUNTY COURT OF GARLAND COUNTY, ARKANSAS

We, the undersigned, duly appointed, qualified and acting Commissioners Highway 70 West Water Improvement District No. 31 of Garland County, Arkansas, hereby report that we have elected OLIVER A. DODSON, as Chairman and JAMES L. BRYANT as Secretary; that we have employed JOHN PARKERSON, of Hot Springs, Arkansas, as Attorney for the District, and that we have employed B & F ENGINEERING, INC., Hot Springs, Arkansas, as consulting Engineers for the District; and that RAY OWEN, JR., was appointed Assessor for the District.

WITNESS our hands this 15th day of February, 1982.

  
OLIVER A. DODSON  
  
JAMES L. BRYANT  
  
DAVID PUCKETT





CC-80-100-3

CERTIFICATE OF MAILING

I, RAY OWEN, JR., do hereby certify that on Tuesday, July 10, 1984, I caused to be mailed to the owners of all real property located within the boundaries of the HIGHWAY 70 WEST WATER IMPROVEMENT DISTRICT NO. 31 OF GARLAND COUNTY, ARKANSAS, a Notice of Assessment of Benefits and Damages being filed. A copy of the Notice marked as Exhibit "A" is attached hereto and made a part hereof.

The aforesaid Notice was mailed by First Class mail to the name and address of the property owners as shown by the Record in the Garland County Tax Collector's and/or the Garland County Tax Assessor's Office.

  
RAY OWEN, JR.

DATE: July 10, 1984

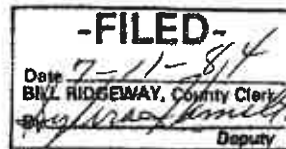
STATE OF ARKANSAS)  
COUNTY OF GARLAND) SS.

Subscribed and sworn to before me this 10th day of July, 1984.

  
NOTARY PUBLIC

My Commission Expires:

January 2, 1985



**Highway 70 West Water Improvement District No. 31 of Garland County, Arkansas**  
600 West Gr , Suite 201 — Hot Springs, Arkansas 71901

OWNER

DESCRIPTION  
OF  
PROPERTY

Fold

Fold

NOTICE IS HEREBY GIVEN THAT THE ASSESSMENT OF BENEFITS AND DAMAGES OF HIGHWAY 70 WEST WATER IMPROVEMENT DISTRICT NUMBER 31 OF GARLAND COUNTY, ARKANSAS, HAS BEEN FILED IN THE OFFICE OF THE COUNTY CLERK OF GARLAND COUNTY, AND WHERE IT IS OPEN TO INSPECTION. ALL PERSONS WISHING TO BE HEARD ON SAID ASSESSMENT WILL BE HEARD BY THE COMMISSIONERS AND THE ASSESSOR OF SAID DISTRICT BETWEEN THE HOURS OF 10 A.M. AND 4 P.M., AT THE GARLAND COUNTY COURTROOM, 2ND FLOOR, GARLAND COUNTY COURTHOUSE, IN THE CITY OF HOT SPRINGS, ARKANSAS, ON THE 25TH DAY OF JULY, 1984.

THE ASSESSMENT INDICATES THAT YOU OWN PROPERTY WITHIN THE DISTRICT. YOU ARE URGED TO INSPECT THE ASSESSMENT TO DETERMINE THE AMOUNT OF BENEFITS OR DAMAGES ASSESSED AGAINST YOUR PROPERTY. IF YOU WISH TO PROTEST THE ASSESSMENT YOU SHOULD ATTEND THE HEARING AT THE TIME AND PLACE SPECIFIED ABOVE.



ASSESSOR

IN THE COUNTY COURT OF GARLAND COUNTY, ARKANSAS

IN THE MATTER OF THE PETITION FOR  
THE FORMATION OF A WATER IMPROVE-  
MENT DISTRICT IN THE DAVIS ACRES  
AREAS OF GARLAND COUNTY, ARKANSAS

NO. CC-85-1176

ORDER ESTABLISHING DAVIS ACRES WATER  
IMPROVEMENT DISTRICT NO. 34 OF GARLAND COUNTY, ARKANSAS

On this 28<sup>th</sup> day of MAY, 1985 comes on to be heard the Petition of certain property owners for the formation of a Water Improvement District and come the Petitioners by Evans, Farrar, Owen & Reis, their attorneys, for and on behalf of all the signers of the Petition for the District, and protestants come not, there being none, and the Petition for the creation of the District is submitted to the Court upon the Petition, filed in multiple copies, proof that said Petition was signed by a majority of the number of realty owners, also being owners of a majority of realty in the area and owners of the majority of assessed value within the proposed District, proof that letters by certified mail of the intent to form the District mailed to all the property owners within the District on March 29, 1985, notifying said property owners of the intent to form the District, proof of the meeting held on April 23, 1985 after notice as required by law and conducted by Wade Spainhour, Senior Justice of the Peace of said District, said meeting being held between the hours of 6:00 o'clock p.m., and 9:00 o'clock p.m., on April 23, 1985, and at which meeting the following seven (7) persons who own property within the District were elected Commissioners of the District by owners of property located therein: Position 1 - Ruth Baldwin; Position 2 - Alfred Gloria; Position 3 - Thomas Happy; Position 4 - Paul Magby; Position 5 - Alvie Schoenfeldt; Position 6 - Marie Schoenfeldt and Position 7 - Robert Turman, proof of which is filed herein, a map of the District, and proof made by Ray Owen, Jr., as to the number of property owners, ownership area, and assessed value, the proof of publication by the Hot Springs Sentinel Record of the notice of hearing on the Petition, and statements of counsel, and the Court being fully advised as to all matters of law and fact herein, finds:

A. Prior to filing of the Petition in multiple copies for the formation of the Improvement District, each owner of real property within the boundaries of the proposed District was notified by certified mail of the intent to form the proposed District, and given notice of public hearing, said notice also was published in the Hot Springs Sentinel Record on April 3, and April 10, 1985, and said public hearing was held on April 23, 1985, and

B. That Wade Spainhour, Senior Justice of the Peace of the area within the District, chaired the public meeting and conducted the election of the seven (7) Commissioners, in accordance with Act 510 of the Acts of the State of Arkansas, 1981, and

C. That Petition for formation of the District in multiple copies was filed with the Clerk of the County Court of Garland County, Arkansas on May 9, 1985, and

D. That Bill Ridgeway, Clerk of the County Court of Garland County, Arkansas, gave notice of the filing thereof, describing the territory to be included and calling upon all persons who wished to be heard on the question of establishment of the District to appear before the Court on the day fixed in the notice, namely the 28th day of May, 1985 at 10:00 o'clock a.m., in the County Court of Garland County, Arkansas, and

E. That the Court has examined the proof of publication made by the Clerk of the Court, Bill Ridgeway, and finds said notice clearly describes the lands to be affected and fixed the time and place of the hearing, said proof of publication of said notice being filed with the Court herein; that this is the place and date set for all protestants to the formation of the District to be heard; and that there were no protestants to the formation of the District before the bar of this Court, and

F. Proof was made by Ray Owen, Jr., as to the number of property owners within the boundaries of the District, and that a majority of said owners of real property have signed the peti-

tion; and

G. Proof was made by Ray Owen, Jr., as to the number of acres situated within the boundaries of the District, and that the owners of a majority of the acreage of the said real property within the District have signed the Petition, and

H. Proof was made by Ray Owen, Jr., as to the assessed value of the real property situated within the boundaries of the District, and that said Petition was signed by owners of a majority in value of the said real property within the District, and

I. That all the requirements of Section 20-701 and 20-702 Arkansas Statutes have been met in accordance with law, and

The Court further finds from the proof offered by Ray Owen, Jr., that the total assessed value of the real property in the territory included in the District is \$ 111,247.00 and that the signers of the Petition are the owners of property within the District of an assessed value of \$ 89,067.00, constituting 80.1% of the assessed value of the said real property within the District; that the total land area included in the District is 24.470 acres and that the signers of the Petition are the owners of 17.972 acres of land within the District, constituting 73.4% of the land area located within the District; and that there are a total of 44 owners of land within the District and that 28 owners of land within the District signed the Petition, constituting 63.6% of the owners of the real property within the District.

The Court further finds that the lands included within the District are all located in Garland County, Arkansas, and outside but within five miles of the corporate limits of the City of Hot Springs, Arkansas, a City of First Class, in the State of Arkansas, having a population of over 10,000 and under 40,000 according to the 1980 Federal Census.

The Court further finds that the certificates were based upon an examination by Ray Owen, Jr., of the last assessment of record in the Offices of the County Assessor and the ownerships as shown by the last deeds of record in the Offices of the Circuit Clerk, both of Garland County, Arkansas.

The Court further finds that the Petition is signed by owners of a majority in value of the said real property within the District, owners of a majority of the acreage of the said real property within the District, and a majority of the owners of the said real property within the District as described in the Petition; that all the lands described in the Petition are situated within five miles of the City Limits of the City of Hot Springs, Arkansas; that the purpose for the organization of the District as set out in the Petition is a proper purpose under the Statutes authorizing the creation of the District; that the persons elected by the Petitioners to serve as Commissioners for the District are owners of real property in said District.

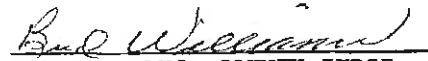
THE COURT DOES, THEREFORE, ORDER, ADJUDGE AND DECREE that the following territory, to-wit:

A part of the S $\frac{1}{2}$  of the NE $\frac{1}{4}$ , Section 20, Township 3 South, Range 20 West, Garland County, Arkansas more particularly described as follows: Beginning at the SE corner of the SW $\frac{1}{4}$  of the NE $\frac{1}{4}$  of said Section 20, and run thence West along the South line of the said SW $\frac{1}{4}$  NE $\frac{1}{4}$  to a point on the West line of Davis Acres, a subdivision recorded in volume 490 pages 322-324 of the Deed and Mortgage Records of Garland County, Arkansas; thence North along the West line of Davis Acres to the NW corner thereof; thence East along the North line of Davis Acres to the Northeast corner of Davis Acres; thence South along the East line of Davis Acres to the South line of the said SE $\frac{1}{4}$  NE $\frac{1}{4}$ ; thence West along the South line of the said SE $\frac{1}{4}$  NE $\frac{1}{4}$  to the SE corner of the said SW $\frac{1}{4}$  NE $\frac{1}{4}$  and the Point of Beginning.

all of which property is located in Garland County, Arkansas, be and the same is hereby laid off and established as a Water Improvement District under the authority of Act 41 of the General Assembly of the State of Arkansas for the year 1941, as amended, and that said District be and the same is hereby established for the purpose of constructing a complete water distribution system in the Davis Acres area; and the Commissioners are hereby authorized to extend the said water lines beyond the limits of the

Page 5  
Order

said District where deemed necessary for the benefit of the District, and to execute Contracts for the construction of the said water improvements as they may deem best; all of the work to be done in the manner and of the materials the Commissioners of the District deem for the best interests thereof; that said District shall be known as DAVIS ACRES WATER IMPROVEMENT DISTRICT NO. 34 OF GARLAND COUNTY, ARKANSAS, and that the following are hereby appointed the Commissioners for said District: Position 1 - Ruth Baldwin; Position 2 - Alfred Gloria; Position 3 - Thomas Happy; Position 4 - Paul Magby; Position 5 - Alvie Schoenfeldt; Position 6 - Marie Schoenfeldt and Position 7 - Robert Thurman.

  
BUD WILLIAMS, COUNTY JUDGE

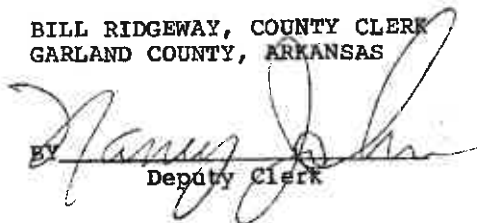
CERTIFICATE

I, the undersigned, Clerk of the County Court of Garland County, Arkansas, hereby certify that the above and foregoing is a true and correct copy of an Order made and entered by said County Court on the 28 day of May, 1985, a day when said Court was legally convened for the holding of Court, the said Order is now of record in Book No. AA, Page 357, of the Records of said County Court.

WITNESS my hand and the seal of said Court this 28 day of

, 1985.

BILL RIDGEWAY, COUNTY CLERK  
GARLAND COUNTY, ARKANSAS

  
Deputy Clerk

IN THE COUNTY COURT OF GARLAND COUNTY, ARKANSAS

IN THE MATTER OF THE PETITION FOR  
THE FORMATION OF A WATER IMPROVE-  
MENT DISTRICT IN THE ROLLING ACRES  
- EL RANCHO ESTATES AREAS OF GARLAND  
COUNTY, ARKANSAS

NO. CC-85-1350

ORDER ESTABLISHING ROLLING ACRES WATER  
IMPROVEMENT DISTRICT NO. 35 OF GARLAND COUNTY, ARKANSAS

On this 18<sup>th</sup> day of June, 1985 comes on to be heard the Petition of certain property owners for the formation of a Water Improvement District and come the Petitioners by Evans, Farrar, Owen & Reis, their attorneys, for and on behalf of all the signers of the Petition for the District, and protestants come not, there being none, and the Petition for the creation of the District is submitted to the Court upon the Petition, filed in multiple copies, proof that said Petition was signed by a majority of the number of realty owners, also being owners of a majority of realty in the area and owners of the majority of assessed value within the proposed District, proof that letters by certified mail of the intent to form the District mailed to all the property owners within the District on April 18, 1985, notifying said property owners of the intent to form the District, proof of the meeting held on May 7, 1985 after notice as required by law and conducted by Tommy Walls, Senior Justice of the Peace of said District, said meeting being held between the hours of 6:00 o'clock p.m., and 9:00 o'clock p.m., on May 7, 1985, and at which meeting the following seven (7) persons who own property within the District were elected Commissioners of the District by owners of property located therein: Position 1 - Buddy Smith; Position 2 - Arthur Sweet; Position 3 - Edward Perkins; Position 4 - Clay Enix; Position 5 - Leonard Mender; Position 6 - Louis Massanelli and Position 7 - Marie Flowers, proof of which is filed herein, a map of the District, and proof made by Ray Owen, Jr., as to the number of property owners, ownership area, and assessed value, the proof of publication by the Hot Springs Sentinel Record of the notice of hearing on the Petition, and statements of counsel, and the Court being fully advised as to all matters of law and fact herein, finds:



A. Prior to filing of the Petition in multiple copies for the formation of the Improvement District, each owner of real property within the boundaries of the proposed District was notified by certified mail of the intent to form the proposed District, and given notice of public hearing, said notice also was published in the Hot Springs Sentinel Record on April 18, and April 25, 1985, and said public hearing was held on May 7, 1985, and

B. That Tommy Walls, Senior Justice of the Peace of the area within the District, chaired the public meeting and conducted the election of the seven (7) Commissioners, in accordance with Act 510 of the Acts of the State of Arkansas, 1981, and

C. That Petition for formation of the District in multiple copies was filed with the Clerk of the County Court of Garland County, Arkansas on May 22, 1985, and

D. That Bill Ridgeway, Clerk of the County Court of Garland County, Arkansas, gave notice of the filing thereof, describing the territory to be included and calling upon all persons who wished to be heard on the question of establishment of the District to appear before the Court on the day fixed in the notice, namely the 18th day of June, 1985 at 3:00 o'clock p.m., in the County Court of Garland County, Arkansas, and

E. That the Court has examined the proof of publication made by the Clerk of the Court, Bill Ridgeway, and finds said notice clearly describes the lands to be affected and fixed the time and place of the hearing, said proof of publication of said notice being filed with the Court herein; that this is the place and date set for all protestants to the formation of the District to be heard; and that there were no protestants to the formation of the District before the bar of this Court, and

F. Proof was made by Ray Owen, Jr., as to the number of property owners within the boundaries of the District, and that a majority of said owners of real property have signed the peti-

tion; and

G. Proof was made by Ray Owen, Jr., as to the number of acres situated within the boundaries of the District, and that the owners of a majority of the acreage of the said real property within the District have signed the Petition, and

H. Proof was made by Ray Owen, Jr., as to the assessed value of the real property situated within the boundaries of the District, and that said Petition was signed by owners of a majority in value of the said real property within the District, and

I. That all the requirements of Section 20-701 and 20-702 Arkansas Statutes have been met in accordance with law, and

The Court further finds from the proof offered by Ray Owen, Jr., that the total assessed value of the real property in the territory included in the District is \$ 584,520.00 and that the signers of the Petition are the owners of property within the District of an assessed value of \$ 459,210.00, constituting 79.0% of the assessed value of the said real property within the District; that the total land area included in the District is 198.305 acres and that the signers of the Petition are the owners of 158.000 acres of land within the District, constituting 80.0% of the land area located within the District; and that there are a total of 138 owners of land within the District and that 104 owners of land within the District signed the Petition, constituting 75.4% of the owners of the real property within the District.

The Court further finds that the lands included within the District are all located in Garland County, Arkansas, and outside but within five miles of the corporate limits of the City of Hot Springs, Arkansas, a City of First Class, in the State of Arkansas, having a population of over 10,000 and under 40,000 according to the 1980 Federal Census.

The Court further finds that the certificates were based upon an examination by Ray Owen, Jr., of the last assessment of record in the Offices of the County Assessor and the ownerships as shown by the last deeds of record in the Offices of the Circuit Clerk, both of Garland County, Arkansas.

The Court further finds that the Petition is signed by owners of a majority in value of the said real property within the District, owners of a majority of the acreage of the said real property within the District, and a majority of the owners of the said real property within the District as described in the Petition; that all the lands described in the Petition are situated within five miles of the City Limits of the City of Hot Springs, Arkansas; that the purpose for the organization of the District as set out in the Petition is a proper purpose under the Statutes authorizing the creation of the District; that the persons elected by the Petitioners to serve as Commissioners for the District are owners of real property in said District.

THE COURT DOES, THEREFORE, ORDER, ADJUDGE AND DECREE that the following territory, to-wit:

A tract of land lying in the West Half of the Southwest Quarter and Part of the Southwest Quarter of the Northwest Quarter, Section 19, Township 3 South, Range 20 West, and also lying in part of the North Half of the Northeast Quarter, Section 25, and also the East Half of the Southeast Quarter, Section 24, Township 3 South, Range 21 West, Garland County, Arkansas, more particularly described as follows:

Beginning at the Southeast corner of the NE $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 25, run thence West along the South line thereof for a distance of 660 feet; thence North 660 feet, more or less, to the South line of an unrecorded Subdivision, known as Rolling Acres Subdivision Unit #2; thence West along the South line thereof and continuing for a distance of 755.9 feet, more or less, to the Southwest corner of the Dorris property, as recorded in Book 698 Page 404 of the Deed and Mortgage Records of Garland County, Arkansas; thence North 06° 45' East 198.15 Feet; thence North 54° 21' East 485.05 feet; thence North 183.10 feet to the South line of an unrecorded Subdivision known as Rolling Acres; thence West along the South line thereof, for a distance of 330 feet, more or less, to the Southwest corner of the said E $\frac{1}{2}$  SE $\frac{1}{4}$ , Section 24; thence North along the West line thereof for a distance of 2640 feet, more or less, to the Northwest corner thereof; thence East along the North line thereof a distance of 1300 feet, more or less to the Southwest corner of the said SW $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 19; thence North along the West line thereof for a distance of 200 feet; thence Easterly parallel to the North line of an unrecorded Subdivision known as El

Rancho Estates to a point on the East line of the said SW $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 19, that is 200 feet, more or less, North of the Northeast corner of the said El Rancho Estates; thence South along the East line thereof a distance of 2995.2 feet, more or less, to the Southeast corner of the said SW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 19; thence West along the South line thereof a distance of 1320 feet, more or less, to the Northeast corner of said Section 25; thence South along the East line of said Section 25 a distance of 1320 feet, more or less, to the Point of Beginning.

all of which property is located in Garland County, Arkansas, be and the same is hereby laid off and established as a Water Improvement District under the authority of Act 41 of the General Assembly of the State of Arkansas for the year 1941, as amended, and that said District be and the same is hereby established for the purpose of constructing a complete water distribution system in the Rolling Acres area; and the Commissioners are hereby authorized to extend the said water lines beyond the limits of the said District where deemed necessary for the benefit of the District, and to execute Contracts for the construction of the said water improvements as they may deem best; all of the work to be done in the manner and of the materials the Commissioners of the District deem for the best interests thereof; that said District shall be known as ROLLING ACRES WATER IMPROVEMENT DISTRICT NO. 35 OF GARLAND COUNTY, ARKANSAS, and that the following are hereby appointed the Commissioners for said District: Position 1 - Buddy Smith; Position 2 - Arthur Sweet; Position 3 - Edward Perkins; Position 4 - Clay Enix; Position 5 - Leonard Mender; Position 6 - Louis Massanelli and Position 7 - Marie Flowers.

  
BUD WILLIAMS, COUNTY JUDGE

CERTIFICATE

I, the undersigned, Clerk of the County Court of Garland County, Arkansas, hereby certify that the above and foregoing is a true and correct copy of an Order made and entered by said County Court on the 18<sup>th</sup> day of June, 1985, a day when said Court was legally convened for the holding of Court, the said Order is now of record in Book No. AA, Page 390, of the Records of said County Court.

WITNESS my hand and the seal of said Court this 18<sup>th</sup> day of June, 1985.

BILL RIDGEWAY, COUNTY CLERK  
GARLAND COUNTY, ARKANSAS

BY

Sylvia Hamilton  
Deputy Clerk

IN THE COUNTY COURT OF GARLAND COUNTY, ARKANSAS

IN THE MATTER OF THE PETITION FOR  
THE FORMATION OF A WATER IMPROVE-  
MENT DISTRICT IN THE PITTMAN ROAD  
SOUTH ROGERS ROAD AREAS OF GARLAND  
COUNTY, ARKANSAS

NO. CC-85-1379

ORDER ESTABLISHING PITTMAN ROAD WATER  
IMPROVEMENT DISTRICT NO. 36 OF GARLAND COUNTY, ARKANSAS

On this 18<sup>th</sup> day of June, 1985 comes on to be heard the  
Petition of certain property owners for the formation of a Water  
Improvement District and come the Petitioners by Wood, Smith and  
Schnipper, their attorneys, for and on behalf of all the signers  
of the Petition for the District, and  
protestants come not, there being none, and the Petition for the  
creation of the District is submitted to the Court upon the  
Petition, filed in multiple copies, proof that said Petition was  
signed by a majority of the number of realty owners, also being  
owners of a majority of realty in the area and owners of the  
majority of assessed value within the proposed District, proof  
that letters by certified mail of the intent to form the District  
mailed to all the property owners within the District on April  
24, 1985, notifying said property owners of the intent to form  
the District, proof of the meeting held on May 14, 1985 after  
notice as required by law and conducted by Tommy Walls, Senior  
Justice of the Peace of said District, said meeting being held  
between the hours of 6:00 o'clock p.m., and 9:00 o'clock p.m., on  
May 14, 1985, and at which meeting the following seven (7) per-  
sons who own property within the District were elected Commis-  
sioners of the District by owners of property located therein:  
Position 1 - David Miller; Position 2 - Bob J. Spencer; Position  
3 - Kevin Marsh; Position 4 - Bertie Mullings; Position 5 -  
Timothy Driggers; Position 6 - Floyd Orrell and Position 7 -  
Douglas Miller, proof of which is filed herein, a map of the  
District, and proof made by Ray Owen, Jr., as to the number of  
property owners, ownership area, and assessed value, the proof of  
publication by the Hot Springs Sentinel Record of the notice of  
hearing on the Petition, and statements of counsel, and the Court  
being fully advised as to all matters of law and fact herein,

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finds:

A. Prior to filing of the Petition in multiple copies for the formation of the Improvement District, each owner of real property within the boundaries of the proposed District was notified by certified mail of the intent to form the proposed District, and given notice of public hearing, said notice also was published in the Hot Springs Sentinel Record on April 30, and May 7, 1985, and said public hearing was held on May 14, 1985, and

B. That Tommy Walls, Senior Justice of the Peace of the area within the District, chaired the public meeting and conducted the election of the seven (7) Commissioners, in accordance with Act 510 of the Acts of the State of Arkansas, 1981, and

C. That Petition for formation of the District in multiple copies was filed with the Clerk of the County Court of Garland County, Arkansas on May 29, 1985, and

D. That Bill Ridgeway, Clerk of the County Court of Garland County, Arkansas, gave notice of the filing thereof, describing the territory to be included and calling upon all persons who wished to be heard on the question of establishment of the District to appear before the Court on the day fixed in the notice, namely the 18th day of June, 1985 at 10:00 o'clock a.m., in the County Court of Garland County, Arkansas, and

E. That the Court has examined the proof of publication made by the Clerk of the Court, Bill Ridgeway, and finds said notice clearly describes the lands to be affected and fixed the time and place of the hearing, said proof of publication of said notice being filed with the Court herein; that this is the place and date set for all protestants to the formation of the District to be heard; and that there were no protestants to the formation of the District before the bar of this Court, and

F. Proof was made by Ray Owen, Jr., as to the number of property owners within the boundaries of the District, and that a

majority of said owners of real property have signed the petition; and

G. Proof was made by Ray Owen, Jr., as to the number of acres situated within the boundaries of the District, and that the owners of a majority of the acreage of the said real property within the District have signed the Petition, and

H. Proof was made by Ray Owen, Jr., as to the assessed value of the real property situated within the boundaries of the District, and that said Petition was signed by owners of a majority in value of the said real property within the District, and

I. That all the requirements of Section 20-701 and 20-702 Arkansas Statutes have been met in accordance with law, and

The Court further finds from the proof offered by Ray Owen, Jr., that the total assessed value of the real property in the territory included in the District is \$ 432,376.00 and that the signers of the Petition are the owners of property within the District of an assessed value of \$ 302,522.00, constituting 69.0% of the assessed value of the said real property within the District; that the total land area included in the District is 620.443 acres and that the signers of the Petition are the owners of 415.690 acres of land within the District, constituting 67.0% of the land area located within the District; and that there are a total of 116 owners of land within the District and that 70 owners of land within the District signed the Petition, constituting 60.3% of the owners of the real property within the District.

The Court further finds that the lands included within the District are all located in Garland County, Arkansas, and outside but within five miles of the corporate limits of the City of Hot Springs, Arkansas, a City of First Class, in the State of Arkansas, having a population of over 10,000 and under 40,000 according to the 1980 Federal Census.



The Court further finds that the certificates were based upon an examination by Ray Owen, Jr., of the last assessment of record in the Offices of the County Assessor and the ownerships as shown by the last deeds of record in the Offices of the Circuit Clerk, both of Garland County, Arkansas.

The Court further finds that the Petition is signed by owners of a majority in value of the said real property within the District, owners of a majority of the acreage of the said real property within the District, and a majority of the owners of the said real property within the District as described in the Petition; that all the lands described in the Petition are situated within five miles of the City Limits of the City of Hot Springs, Arkansas; that the purpose for the organization of the District as set out in the Petition is a proper purpose under the Statutes authorizing the creation of the District; that the persons elected by the Petitioners to serve as Commissioners for the District are owners of real property in said District.


THE COURT DOES, THEREFORE, ORDER, ADJUDGE AND DECREE that the following territory, to-wit:

Part of Sections 28, 29 and 32, all in Township 3 South, Range 20 West, Garland County, Arkansas, more particularly described as follows:

Beginning at a point on the North line of said Section 28, that is 200 feet East of the East Right of Way of South Rogers Road; thence South, parallel with South Rogers Road for a distance of 3960 feet, more or less, to the North line of the SW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 28; thence West along the North lines of the SW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 28 and the SE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 29 for a distance of 1104 feet, more or less, to the Northeast corner of the Dykes property, as described in Book 942, Page 85 of the Deed and Mortgage Records of Garland County, Arkansas; thence South along the Dykes property 208.92 feet to the Southeast corner thereof; thence West 457.00 feet, more or less, to the East line of the SW $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 29; thence South along the East lines of the SW $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 29, and the W $\frac{1}{2}$  NE $\frac{1}{4}$ , Section 32, for a distance of 3711 feet, more or less, to the Southeast corner of the SW $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 32; thence West along the South lines of the SW $\frac{1}{4}$  NE $\frac{1}{4}$  and the SE $\frac{1}{4}$  NW $\frac{1}{4}$  for a distance of 1456 feet, more or less, to a point 200 feet perpendicular from and parallel to the Southerly right of way of Marion Anderson Road; thence Southwesterly parallel to Marion Anderson Road for a distance of 1520 feet, more or less, to the East line of the NW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 32; thence South along said East line 435 feet to the Southeast corner thereof; thence West along the South line of the said NW $\frac{1}{4}$  SW $\frac{1}{4}$  a distance of 1320 feet, more or less, to the West right of way of South Moore Road; thence North along South Moore Road 370 feet, more or less,

to the South right of way of Marion Anderson Road; thence Easterly along Marion Anderson Road 1320 feet, more or less, to the West line of the NE $\frac{1}{4}$  SW $\frac{1}{4}$  Section 32; thence North along the West lines of the NE $\frac{1}{4}$  SW $\frac{1}{4}$ , the E $\frac{1}{2}$  NW $\frac{1}{4}$ , Section 32, the E $\frac{1}{2}$  W $\frac{1}{2}$ , Section 29, for a distance of 8470 feet, more or less, to the Northwest corner of the NE $\frac{1}{4}$  NW $\frac{1}{4}$  Section 29; thence East along the North line of Sections 29 and 28 a distance of 4237 feet, more or less, to the Point of Beginning.

all of which property is located in Garland County, Arkansas, be and the same is hereby laid off and established as a Water Improvement District under the authority of Act 41 of the General Assembly of the State of Arkansas for the year 1941, as amended, and that said District be and the same is hereby established for the purpose of constructing a complete water distribution system in the Pittman Road area; and the Commissioners are hereby authorized to extend the said water lines beyond the limits of the said District where deemed necessary for the benefit of the District, and to execute Contracts for the construction of the said water improvements as they may deem best; all of the work to be done in the manner and of the materials the Commissioners of the District deem for the best interests thereof; that said District shall be known as PITTMAN ROAD WATER IMPROVEMENT DISTRICT NO. 36 OF GARLAND COUNTY, ARKANSAS, and that the following are hereby appointed the Commissioners for said District: Position 1 - David Miller; Position 2 - Bob J. Spencer; Position 3 - Kevin Marsh; Position 4 - Bertie Mullings; Position 5 - Timothy Driggers; Position 6 - Floyd Orrell and Position 7 - Douglas Miller.

  
BUD WILLIAMS, COUNTY JUDGE

CERTIFICATE

I, the undersigned, Clerk of the County Court of Garland County, Arkansas, hereby certify that the above and foregoing is a true and correct copy of an Order made and entered by said County Court on the 18<sup>th</sup> day of June, 1985, a day when said Court was legally convened for the holding of Court, the said Order is now of record in Book No. AA, Page 390, of the Records of said County Court.

WITNESS my hand and the seal of said Court this 18<sup>th</sup> day of June, 1985.

BILL RIDGEWAY, COUNTY CLERK  
GARLAND COUNTY, ARKANSAS

BY Sylvia Hamilton  
Deputy Clerk

IN THE COUNTY COURT OF GARLAND COUNTY, ARKANSAS

IN THE MATTER OF THE PETITION FOR  
THE FORMATION OF A WATER IMPROVE-  
MENT DISTRICT IN THE MARION ANDERSON  
ROAD AREAS OF GARLAND COUNTY, ARKANSAS

NO. CC-85-23-28

ORDER ESTABLISHING MARION ANDERSON ROAD  
WATER IMPROVEMENT DISTRICT NO. 37 OF GARLAND COUNTY, ARKANSAS

On this 5<sup>th</sup> day of November, 1985 comes on to be heard the  
Petition of certain property owners for the formation of a Water  
Improvement District and come the Petitioners by Evans, Farrar,  
Owen & Reis, their attorneys, for and on behalf of all the  
signers of the Petition for the District, and protestants come  
not, there being none, and the Petition for the creation of the  
District is submitted to the Court upon the Petition, filed in  
multiple copies, proof that said Petition was signed by a  
majority of the number of realty owners, also being owners of a  
majority of realty in the area and owners of the majority of  
assessed value within the proposed District, proof that letters  
by certified mail of the intent to form the District mailed to  
all the property owners within the District on September 16,  
1985, notifying said property owners of the intent to form the  
District, proof of the meeting held on October 3, 1985 after  
notice as required by law and conducted by Wade Spainhour, Senior  
Justice of the Peace of said District, said meeting being held  
between the hours of 6:00 o'clock p.m., and 9:30 o'clock p.m., on  
October 3, 1985, and at which meeting the following seven (7)  
persons who own property within the District were elected Commis-  
sioners of the District by owners of property located therein:  
Position 1 - Eugene Dozier; Position 2 - Jim Reiter; Position 3 -  
Yvonne Simpson; Position 4 - Gary Meeks; Position 5 - Nick  
Ugolini; Position 6 - L.A. Robertson and Position 7 - Deana  
Echols, proof of which is filed herein, a map of the District,  
and proof made by Ray Owen, Jr., as to the number of property  
owners, ownership area, and assessed value, the proof of publica-  
tion by the Hot Springs Sentinel Record of the notice of hearing  
on the Petition, and statements of counsel, and the Court being  
fully advised as to all matters of law and fact herein, finds:

AA-473

A. Prior to filing of the Petition in multiple copies for the formation of the Improvement District, each owner of real property within the boundaries of the proposed District was notified by certified mail of the intent to form the proposed District, and given notice of public hearing, said notice also was published in the Hot Springs Sentinel Record on September 14, and September 21, 1985, and said public hearing was held on October 3, 1985, and

B. That Wade Spainhour, Senior Justice of the Peace of the area within the District, chaired the public meeting and conducted the election of the seven (7) Commissioners, in accordance with Act 510 of the Acts of the State of Arkansas, 1981, and

C. That Petition for formation of the District in multiple copies was filed with the Clerk of the County Court of Garland County, Arkansas on October 21, 1985, and

D. That Bill Ridgeway, Clerk of the County Court of Garland County, Arkansas, gave notice of the filing thereof, describing the territory to be included and calling upon all persons who wished to be heard on the question of establishment of the District to appear before the Court on the day fixed in the notice, namely the 5th day of November, 1985 at 10:00 o'clock a.m., in the County Court of Garland County, Arkansas, and

E. That the Court has examined the proof of publication made by the Clerk of the Court, Bill Ridgeway, and finds said notice clearly describes the lands to be affected and fixed the time and place of the hearing, said proof of publication of said notice being filed with the Court herein; that this is the place and date set for all protestants to the formation of the District to be heard; and that there were no protestants to the formation of the District before the bar of this Court, and

F. Proof was made by Ray Owen, Jr., as to the number of property owners within the boundaries of the District, and that a majority of said owners of real property have signed the peti-

tion; and

G. Proof was made by Ray Owen, Jr., as to the number of acres situated within the boundaries of the District, and that the owners of a majority of the acreage of the said real property within the District have signed the Petition, and

H. Proof was made by Ray Owen, Jr., as to the assessed value of the real property situated within the boundaries of the District, and that said Petition was signed by owners of a majority in value of the said real property within the District, and

I. That all the requirements of Section 20-701 and 20-702 Arkansas Statutes have been met in accordance with law, and

The Court further finds from the proof offered by Ray Owen, Jr., that the total assessed value of the real property in the territory included in the District is \$ 6,434,386 and that the signers of the Petition are the owners of property within the District of an assessed value of \$ 4,375,542, constituting 68.0% of the assessed value of the said real property within the District; that the total land area included in the District is 1273.403 acres and that the signers of the Petition are the owners of 828.030 acres of land within the District, constituting 65.0% of the land area located within the District; and that there are a total of 1303 owners of land within the District and that 754 owners of land within the District signed the Petition, constituting 57.9% of the owners of the real property within the District.

The Court further finds that the lands included within the District are all located in Garland County, Arkansas, and outside but within five miles of the corporate limits of the City of Hot Springs, Arkansas, a City of First Class, in the State of Arkansas, having a population of over 10,000 and under 40,000 according to the 1980 Federal Census.

The Court further finds that the certificates were based upon an examination by Ray Owen, Jr., of the last assessment of record in the Offices of the County Assessor and the ownerships as shown by the last deeds of record in the Offices of the Circuit Clerk, both of Garland County, Arkansas.

The Court further finds that the Petition is signed by owners of a majority in value of the said real property within the District, owners of a majority of the acreage of the said real property within the District, and a majority of the owners of the said real property within the District as described in the Petition; that all the lands described in the Petition are situated within five miles of the City Limits of the City of Hot Springs, Arkansas; that the purpose for the organization of the District as set out in the Petition is a proper purpose under the Statutes authorizing the creation of the District; that the persons elected by the Petitioners to serve as Commissioners for the District are owners of real property in said District.

THE COURT DOES, THEREFORE, ORDER, ADJUDGE AND DECREE that the following territory, to-wit:

Part of Sections 22, 23, 26, 27, 28, 32, 33, 34 and 35, all in Township 3 South, Range 20 West of the 5th Principal Meridian, Garland County, Arkansas, more particularly described as follows:

Beginning at the intersection of the West line of the SE $\frac{1}{4}$  SE $\frac{1}{4}$  Section 22 with the centerline of Marion Anderson Road; thence North along said West line to the South line of Lot 29, Block F, Lakeview Subdivision located in the SE $\frac{1}{4}$  SE $\frac{1}{4}$  Section 22; thence Northeasterly along said South line a distance of 230 feet, more or less, to the 400 foot contour of Lake Hamilton; thence following the meanders of said contour in a generally Southwesterly direction for a distance of 71,000 feet, more or less, to the West line of the NW $\frac{1}{4}$  SW $\frac{1}{4}$  Section 33; thence North along the West line of said Section 33, a distance of 700 feet, more or less, to a point that is 200 feet Southerly of and perpendicular to the Southerly R/W of Marion Anderson Road; thence Westerly, parallel to said R/W for a distance of 1390 feet, more or less, to the West line of the SE $\frac{1}{4}$  NE $\frac{1}{4}$  Section 32; thence North along the West line of said SE $\frac{1}{4}$  NE $\frac{1}{4}$  a distance of 470 feet, more or less, to a point that is 200 feet Northerly of and perpendicular to the North R/W of Marion Anderson Road; thence Easterly, parallel to said R/W for a distance of 1390 feet, more or less, to the West line of Section 33; Thence north along said West line a distance of 400 feet, more or less, to the Northwest corner of the SW $\frac{1}{4}$  NW $\frac{1}{4}$  Section 33; thence East along the North line of the S $\frac{1}{2}$  NW $\frac{1}{4}$  Section 33 for a distance of 1410 feet, more or less, to a point that is 200 feet Northerly of and perpendicular to the North R/W

of Marion Anderson Road; thence Easterly, parallel to said R/W a distance of 1250 feet, more or less, to the West line of the NW $\frac{1}{4}$  NE $\frac{1}{4}$  Section 33; thence North along the West lines of the NW $\frac{1}{4}$  NE $\frac{1}{4}$  Section 33, and the SW $\frac{1}{4}$  SE $\frac{1}{4}$  Section 28 for a distance of 1650 feet, more or less, to the Southeast corner of the N $\frac{1}{2}$ , S $\frac{1}{2}$ , SW $\frac{1}{4}$  Section 28; thence West 2640 feet, more or less, along the South line of said N $\frac{1}{2}$ , S $\frac{1}{2}$ , SW $\frac{1}{4}$  to the Southwest corner thereof; thence North 660 feet, more or less, along the West line of said N $\frac{1}{2}$ , S $\frac{1}{2}$ , SW $\frac{1}{4}$  to the Northwest corner thereof; thence East along the South line of the N $\frac{1}{2}$  SW $\frac{1}{4}$  Section 28 for a distance of 240 feet; thence North 1320 feet, more or less, to a point that is 200 feet East of the East R/W of South Rogers Road; thence East along the North line of the said N $\frac{1}{2}$  SW $\frac{1}{4}$  Section 28 for a distance of 2400 feet, more or less, to the Southeast corner of the SE $\frac{1}{4}$  NW $\frac{1}{4}$  Section 28; thence North along the East line of said SE $\frac{1}{4}$  NW $\frac{1}{4}$  for a distance of 825 feet to the Southeast corner of the N $\frac{1}{2}$ , S $\frac{1}{2}$ , N $\frac{1}{2}$ , SE $\frac{1}{4}$  NW $\frac{1}{4}$  Section 28; thence West along the South line thereof 1320 feet, more or less, to the East line of the SW $\frac{1}{4}$  NW $\frac{1}{4}$  Section 28; thence North along said East line 165 feet, more or less, to the Southeast corner of the N $\frac{1}{2}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$  Section 28; thence West along the South line thereof for a distance of 1080 feet, more or less, to a point that is 200 feet East of the East R/W of South Rogers Road; thence North, parallel to South Rogers Road for a distance of 1650 feet, more or less, to the North line of Section 28; thence East along said Section line for a distance of 3730 feet, more or less, to the Northeast corner of the NW $\frac{1}{4}$  NE $\frac{1}{4}$  Section 28; thence South along the East lines of the W $\frac{1}{2}$  NE $\frac{1}{4}$  and NW $\frac{1}{4}$  SE $\frac{1}{4}$  for a distance of 3280 feet, more or less, to a point that is 200 feet Northeasterly of and perpendicular to the Easterly R/W of Walkway Drive; thence Southerly, parallel with Walkway Drive a distance of 500 feet, more or less, to a point that is also 200 feet Northwesterly from and perpendicular to the Northerly R/W of Marion Anderson Road; thence Easterly, parallel to Marion Anderson Road for a distance of 1100 feet, more or less, to a point on the Westerly line of the Carder property as described in a Deed recorded in Book 838, Page 592 of the Deed and Mortgage Records of Garland County, Arkansas; thence Northwesterly along said property line 90 feet, more or less, to the Northwest corner thereof; thence Northeasterly along the Northerly line of the Carder property a distance of 290 feet to the Northeast corner thereof, which is 290 feet, more or less, Northwesterly of and perpendicular to the Northerly R/W of Marion Anderson Road; thence Northeasterly in a straight line for a distance of 2175 feet, more or less, to a point on the West line of the SE $\frac{1}{4}$  NW $\frac{1}{4}$  Section 27 that is 200 feet Northwesterly of and perpendicular to the Northerly R/W of Marion Anderson Road; thence North along the West line of the said SE $\frac{1}{4}$  NW $\frac{1}{4}$  a distance of 150 feet, more or less, to the Northwest corner thereof; thence East along the South line of the NE $\frac{1}{4}$  NW $\frac{1}{4}$  Section 27, for a distance of 1320 feet, more or less, to the Southeast corner thereof; thence North along the East line of the said NE $\frac{1}{4}$  NW $\frac{1}{4}$  for a distance of 1220 feet, more or less, to the centerline of Marion Anderson Road; thence East along the centerline of Marion Anderson Road a distance of 1315 feet, more or less, to the West line of the SE $\frac{1}{4}$  SE $\frac{1}{4}$  Section 22, and the Point of Beginning.

all of which property is located in Garland County, Arkansas, be and the same is hereby laid off and established as a Water Improvement District under the authority of Act 41 of the General Assembly of the State of Arkansas for the year 1941, as amended,



and that said District be and the same is hereby established for the purpose of constructing a complete water distribution system in the Marion Anderson Road area; and the Commissioners are hereby authorized to extend the said water lines beyond the limits of the said District where deemed necessary for the benefit of the District, and to execute Contracts for the construction of the said water improvements as they may deem best; all of the work to be done in the manner and of the materials the Commissioners of the District deem for the best interests thereof; that said District shall be known as MARION ANDERSON ROAD WATER IMPROVEMENT DISTRICT NO. 37 OF GARLAND COUNTY, ARKANSAS, and that the following are hereby appointed the Commissioners for said District: Position 1 - Eugene Dozier; Position 2 - Jim Reiter; Position 3 - Yvonne Simpson; Position 4 - Gary Meeks; Position 5 - Nick Ugolini; Position 6 - L.A. Robertson and Position 7 - Deana Echols.


  
BUD WILLIAMS, COUNTY JUDGE

CERTIFICATE

I, the undersigned, Clerk of the County Court of Garland County, Arkansas, hereby certify that the above and foregoing is a true and correct copy of an Order made and entered by said County Court on the 5<sup>th</sup> day of November, 1985, a day when said Court was legally convened for the holding of Court, the said Order is now of record in Book No. AA, Page 423, of the Records of said County Court.

WITNESS my hand and the seal of said Court this 5<sup>th</sup> day of November, 1985.

BILL RIDGEWAY, COUNTY CLERK  
GARLAND COUNTY, ARKANSAS

BY   
Deputy Clerk

IN THE COUNTY COURT OF GARLAND COUNTY, ARKANSAS

cc-616

IN THE MATTER OF THE PETITION FOR  
THE FORMATION OF A WATER IMPROVEMENT  
DISTRICT IN THE LITTLE MAZARN LANDING  
ROAD AREA OF GARLAND COUNTY, ARKANSAS

NO. CC 96-45

ORDER  
ESTABLISHING LITTLE MAZARN ROAD WATER IMPROVEMENT  
DISTRICT NO. 44 OF GARLAND COUNTY, ARKANSAS

On the 2nd day of July, 1996, this matter came on to be heard on the Petition of certain property owners for the formation of a Water Improvement District, with the Petitioners appearing by and through their attorney, Richard L. Slagle, for and on behalf of all the signers of the Petition for the District and some protestants appearing, and the Petition for the creation of the District is submitted to the Court upon the Petition, filed in multiple copies, proof that said Petition was signed by a majority of the number of realty owners, also being owners of a majority of realty in the area and owners of the majority of assessed value within the proposed District, proof that letters by Certified Mail of the intent to form the District mailed to all the property owners within the District on May 3, 1996, notifying said property owners of the intent to form the District, proof of the meeting held on May 28, 1996, after notice as required by law and conducted by Honorable Carolyn Sisney, Justice of the Peace of said District, said meeting being held between the hours of 6:00 p.m. and 10:00 p.m. on May 28, 1996, and at which meeting the following seven (7) persons who own property within the District were elected

cc-617

ORDER ESTABLISHING  
LITTLE MAZARN ROAD WATER IMPROVEMENT DISTRICT  
PAGE 2

Commissioners of the District by owners of property located therein: Position 1 - Michael R. Ellis; Position 2 - Kenneth Wheatley; Position 3 - Gary Wilson; Position 4 - Al Ginsburg; Position 5 - Virgil L. Bennett; Position 6 - Manuel Stafford; and Position 7 - Tony D. McMillan, proof of which is filed herein, a map of the District and proof made by Ray Owen, Jr. as to the number of property owners, and assessed value, proof made by William Malone as to the ownership area, proof that letters by Certified Mail, return receipt requested, giving notice of this hearing were sent to all the property owners within the District on June 14, 1996, the proof of publication by the Hot Springs Sentinel-Record of the Notice of Hearing on the Petition, and statement of counsel and the Court finds:

1. Prior to filing of the Petition in multiple copies for the formation of the improvement District, each owner of real property within the boundaries of the proposed District was notified by certified mail, return receipt requested of the intent to form the proposed District and given notice of public hearing, said notice also was published in the Hot Springs Sentinel-Record on May 6, 1996 and June May 13, 1996 and said public hearing was held on May 28, 1996, and

2. That Carolyn Sisney, Justice of the Peace of the area within the District, chaired the public meeting and conducted the

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Hot Springs, Arkansas 71913

501/624-4244

5

ORDER ESTABLISHING  
LITTLE MAZARN ROAD WATER IMPROVEMENT DISTRICT  
PAGE 3

CC 618

election of the seven (7) Commissioners, in accordance A.C.A. §14-92-201, *et seq*, and

3. That Petition for formation of the District in multiple copies was filed with the Clerk of the County Court of Garland County, Arkansas on June, 12, 1996, and

4. That Nancy Johnson, Clerk of the County Court of Garland County, Arkansas gave notice of the filing thereof, by publication of same in the Hot Spring Sentinel-Record on June 15, and June 22, 1996, describing the territory to be included and calling upon all persons who wished to be heard on the question of establishment of the District to appear before the court on the day fixed in the notice, namely July 2, 1996 at 9:00 a.m., in room 105, First Floor, Garland County Courthouse, Garland County, Arkansas, and

5. Prior to this hearing, Notice of this hearing on the formation of the District was mailed by Certified Mail, Return Receipt Requested, to all owners of property within the District on June 14, 1996 and that a Certificate of Mailing reflecting same has been filed with the Court, and

6. That the Court has examined the proof of publication made by the Clerk of the Court, Nancy Johnson and finds said notice clearly describes the lands to be affected and fixed the time and place of the hearing, said proof of publication of said notice being filed with the Court herein; that this is the place and date

ORDER ESTABLISHING  
LITTLE MAZARN ROAD WATER IMPROVEMENT DISTRICT  
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CCG/19

set for all protestants to the formation of the District to be heard; and that there were protestants to the formation of the District before the bar of this Court, and

7. Proof was made by Ray Owen, Jr. that a majority of said owners of real property have signed the petition; and

8. Proof was made by William Malone that the owners of a majority of the acreage of the said real property within the District have signed the Petition, and

9. Proof was made by Ray Owen, Jr. that said Petition was signed by owners of a majority in value of the said real property within the District, and

10. The protestants presented Petitions purportedly signed by, among others, certain persons who desire to have their names stricken from the Petition to form the District, and

11. One or more of the protestants appeared and testified that they had signed the Petition, but for various reasons wanted their names stricken from the Petition to create the District, and

12. The Court has now had the opportunity to examine the Petitions to create the District, the Petition to remove names, the ownership, value and area information regarding the property within the District and other facts and information presented to the Court.

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ORDER ESTABLISHING  
LITTLE MAZARN ROAD WATER IMPROVEMENT DISTRICT  
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CC620

13. That all the requirements of A.C.A. §14-92-201, *et seq* have been met in accordance with law, and

The Court further finds that the lands included within the District are all located in Garland County, Arkansas and outside of the corporate limits of the City of Hot Springs, Arkansas, a City of First Class, in the State of Arkansas, having a population of over 10,000 and under 40,000 according to the 1990 Federal Census.

The Court further finds that the certificates were based upon an examination by Ray Owen, Jr. of the last assessment of record in the Offices of the County Assessor and the ownerships as shown by the last deeds of record in the Offices of the Circuit Clerk, both of Garland County, Arkansas.

The Court further finds that even if all of the persons who signed the Petition to have their names withdrawn as signors of the Petition to create the District, that Petition to create the District is still signed by owners of a majority in value of the said real property within the District, owners of a majority of the acreage of the said real property within the District and a majority of the owners of the said real property within the District as described in the Petition; that all the lands described in the Petition are situated in Garland County, Arkansas but outside the City Limits of the City of Hot Springs, Arkansas; that the purpose for the organization of the District as set out in the

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5011624-4244

ORDER ESTABLISHING  
LITTLE MAZARN ROAD WATER IMPROVEMENT DISTRICT  
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Petition is a proper purpose under the Statutes authorizing the creation of the District; that the persons elected by the Petitioners to serve as Commissioners for the District are owners of real property in said District.

The Court's letter opinion of July 22, 1996 should be and is hereby incorporated herein and made a part hereof.

THE COURT DOES, THEREFORE, ORDER, ADJUDGE AND DECREE that the following territory, to-wit:

The following described property situated in Garland County, Arkansas:

SECTION 34, TOWNSHIP 3-S, RANGE 20-W  
All of the SE  $\frac{1}{4}$ .  
All lands in the NE  $\frac{1}{4}$  South of Little Mazarn Creek.  
All lands in the NW  $\frac{1}{4}$  South and East of the Little Mazarn Creek.  
All of the NE $\frac{1}{4}$ -SE $\frac{1}{4}$  South of the Little Mazarn Creek.

all of which property is located in Garland County, Arkansas, be and the same is hereby laid off and established as a Water Improvement District Under the authority of Act 41 of the General Assembly of the State of Arkansas for the year 1941, as amended, and that said District be and the same is hereby established for the purpose of constructing a complete water distribution system in the Little Mazarn Landing Road area of Garland County, Arkansas; and the Commissioners are hereby authorized to extend the said

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Hot Springs, Arkansas 71913

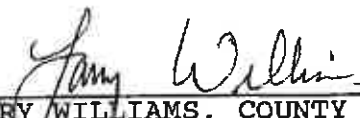
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ORDER ESTABLISHING  
LITTLE MAZARN ROAD WATER IMPROVEMENT DISTRICT  
PAGE 7

CC 622

water lines beyond the limits of the said District where deemed necessary for the benefit of the District and to execute Contracts for the construction of the said water improvements as they may deem best; all the work to be done in the manner and of the materials the Commissioners of the District deem for the best interest thereof; that said District shall be known as LITTLE MAZARN ROAD WATER IMPROVEMENT DISTRICT NO. 44 OF GARLAND COUNTY, ARKANSAS, and that the following are hereby appointed the Commissioners for said District: Position 1 - Michael R. Ellis; Position 2 - Kenneth Wheatley; Position 3 - Gary Wilson; Position 4 - Al Ginsburg; Position 5 - Virgil L. Bennett; Position 6 - Manuel Stafford; and Position 7 - Tony D. McMillan. That the aforesaid water district shall continue to exist after the construction improvements have been completed and indebtedness associated therewith has been paid and satisfied for the purpose of maintaining and operating the improvements and treating the sewage collected by the system to be constructed by the District.

IT IS SO ORDERED.

  
LARRY WILLIAMS, COUNTY JUDGE

DATE: July 24, 1996

Ray Owen, Jr.  
Owen, Farnell & Gerner  
209 Hobson Ave.  
Hot Springs, Arkansas 71913

501/624-4244



IN THE COUNTY COURT OF GARLAND COUNTY, ARKANSAS

FILED

JAN 12 1998

NANCY JOHNSON COUNTY CLERK  
BY *[Signature]* DC

IN THE MATTER OF THE PETITION FOR  
THE FORMATION OF A WATER AND SEWER  
IMPROVEMENT DISTRICT IN THE WHITE OAK  
AREA OF GARLAND COUNTY, ARKANSAS

NO. CC 97-104

2-95

**ORDER**  
**ESTABLISHING WHITE OAK WATER AND SEWER IMPROVEMENT**  
**DISTRICT NO. 49 OF GARLAND COUNTY, ARKANSAS**

On the 5th day of January, 1998, comes on to be heard the Petition of certain property owners for the formation of a Water and Sewer Improvement District and come the Petitioners herein, by and through their attorney, Ray Owen, Jr., for and on behalf of all the signers of the Petition for the District and some protestants appearing, and the Petition for the creation of the District is submitted to the Court upon the Petition, filed in multiple copies, proof that said Petition was signed by a majority of the number of realty owners, also being owners of a majority of realty in the area and owners of the majority of assessed value within the proposed District, proof that letters by Certified Mail of the intent to form the District mailed to all the property owners within the District on November 15, 1997, notifying said property owners of the intent to form the District, proof of the meeting held on December 3, 1997, after notice as required by law and conducted by Honorable Carolyn Sisney, Justice of the Peace of said District, said meeting being held between the hours of 6:00 p.m. and 10:00 p.m. on December 3, 1997, and at which meeting the following seven (7) persons who own property within the

ORDER ESTABLISHING  
White Oak Water and Sewer Improvement District  
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District were elected Commissioners of the District by owners of property located therein: Position 1 - Oliver "Ken" Kennedy; Position 2 - William Frank Smith; Position 3 - Cheryl Reagan; Position 4 - Clifford Hair; Position 5 - Charles C. Sisney; Position 6 - Geral D. Harrison; and Position 7 - John C. Glassford, proof of which is filed herein, a map of the District and proof made by Robert L. Simpson as to the number of property owners, ownership area and assessed value, proof that letters by Certified Mail, return receipt requested, giving notice of this hearing were sent to all the property owners within the District on December 19, 1997, the proof of publication by the Hot Springs Sentinel-Record of the Notice of Hearing on the Petition, and statement of counsel and the Court finds:

1. Prior to filing of the Petition in multiple copies for the formation of the improvement District, each owner of real property within the boundaries of the proposed District was notified by certified mail, return receipt requested of the intent to form the proposed District and given notice of public hearing, said notice also was published in the Hot Springs Sentinel-Record on November 14, 1997 and November 21, 1997 and said public hearing was held on December 3, 1997, and

2. That Carolyn Sisney, Justice of the Peace of the area within the District, chaired the public meeting and conducted the election of the seven (7) Commissioners, in accordance A.C.A. §14-92-201, *et seq*, and

ORDER ESTABLISHING

White Oak Water and Sewer Improvement District

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3. That Petition for formation of the District in multiple copies was filed with the Clerk of the County Court of Garland County, Arkansas on December 18, 1997, and

4. That Nancy Johnson, Clerk of the County Court of Garland County, Arkansas gave notice of the filing thereof, by publication of same in the Hot Spring Sentinel-Record on December 20 and December 27, 1997, describing the territory to be included and calling upon all persons who wished to be heard on the question of establishment of the District to appear before the court on the day fixed in the notice, namely January 5, 1998 at 10:00 a.m., in the County Court of Garland County, Arkansas, and

5. Prior to this hearing, Notice of this hearing on the formation of the District was mailed by Certified Mail, Return Receipt Requested, to all owners of property within the District on December 19, 1997 and that a Certificate of Mailing reflecting same has been filed with the Court, and

6. That the Court has examined the proof of publication made by the Clerk of the Court, Nancy Johnson and finds said notice clearly describes the lands to be affected and fixed the time and place of the hearing, said proof of publication of said notice being filed with the Court herein; that this is the place and date set for all protestants to the formation of the District to be heard; and that there were protestants to the formation of the District before the bar of this Court, and

ORDER ESTABLISHING  
White Oak Water and Sewer Improvement District  
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D298

7. Proof was made by Robert L. Simpson that a majority of said owners of real property have signed the petition; and

8. Proof was made by Robert L. Simpson that the owners of a majority of the acreage of the said real property within the District have signed the Petition, and

9. Proof was made by Robert L. Simpson that said Petition was signed by owners of a majority in value of the said real property within the District, and

10. That all the requirements of A.C.A. §14-92-201, *et seq* have been met in accordance with law, and

The Court further finds that the lands included within the District are all located in Garland County, Arkansas and outside of the corporate limits of the City of Hot Springs, Arkansas, a City of First Class, in the State of Arkansas, having a population of over 10,000 and under 40,000 according to the 1990 Federal Census.

The Court further finds that the certificates were based upon an examination by Robert L. Simpson of the last assessment of record in the Offices of the County Assessor and the ownerships as shown by the last deeds of record in the Offices of the Circuit Clerk, both of Garland County, Arkansas.

The Court further finds that the Petition is signed by owners of a majority in value of the said real property within the District, owners of a majority of the acreage of the said real property within the District and a majority of the owners of the said real

ORDER ESTABLISHING  
White Oak Water and Sewer Improvement District  
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property within the District as described in the Petition; that all the lands described in the Petition are situated in Garland County, Arkansas but outside the City Limits of the City of Hot Springs, Arkansas; that the purpose for the organization of the District as set out in the Petition is a proper purpose under the Statutes authorizing the creation of the District; that the persons elected by the Petitioners to serve as Commissioners for the District are owners of real property in said District.

**THE COURT DOES, THEREFORE, ORDER, ADJUDGE AND DECREE**  
that the following territory, to-wit:

The following described property situated in Garland County,  
Arkansas:

**IN SECTION 4, TOWNSHIP 4 SOUTH, RANGE 19 WEST**

All of the fractional NE $\frac{1}{4}$ NE $\frac{1}{4}$  lying South of Farris Landing Road  
All of the fractional NW $\frac{1}{4}$ NE $\frac{1}{4}$  lying above the 400 foot contour line of Lake Hamilton  
All of the S $\frac{1}{2}$ NE $\frac{1}{4}$   
All of the fractional N $\frac{1}{2}$ NW $\frac{1}{4}$  lying above the 400 foot contour line of Lake Hamilton  
All of the SE $\frac{1}{4}$ NW $\frac{1}{4}$   
All of the NE $\frac{1}{4}$ SW $\frac{1}{4}$   
All of the SE $\frac{1}{4}$ SW $\frac{1}{4}$  lying North of Arkansas State Highway No. 290  
All of the NW $\frac{1}{4}$ SE $\frac{1}{4}$   
All of the SW $\frac{1}{4}$ SE $\frac{1}{4}$  lying North of Arkansas State Highway No. 290

**IN SECTION 5, TOWNSHIP 4 SOUTH, RANGE 19 WEST**

All of the fractional N $\frac{1}{2}$ NE $\frac{1}{4}$  lying above the 400 foot contour line of Lake Hamilton  
All of the SW $\frac{1}{4}$ NE $\frac{1}{4}$  lying above the 400 foot contour line of Lake Hamilton  
All of the fractional N $\frac{1}{2}$ NW $\frac{1}{4}$  lying above the 400 foot contour line of Lake Hamilton

**ORDER ESTABLISHING**

**White Oak Water and Sewer Improvement District**

**PAGE 6**

DD100

All of the S $\frac{1}{2}$ NW $\frac{1}{4}$  lying above the 400 foot contour line of Lake Hamilton  
All of the NE $\frac{1}{4}$ SW $\frac{1}{4}$  lying above the 400 foot contour line of Lake Hamilton  
All of the NW $\frac{1}{4}$ SW $\frac{1}{4}$  lying East of and above the 400 foot contour line of Lake Hamilton  
All of the SW $\frac{1}{4}$ SW $\frac{1}{4}$  lying East of and above the 400 foot contour line of Lake Hamilton  
All of the SE $\frac{1}{4}$ SW $\frac{1}{4}$  lying North of Arkansas State Highway No. 290  
All of the NW $\frac{1}{4}$ SE $\frac{1}{4}$   
All of the S $\frac{1}{2}$ SE $\frac{1}{4}$  lying North of Arkansas State Highway No. 290

**IN SECTION 32, TOWNSHIP 3 SOUTH, RANGE 19 WEST**

All of the S $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$  lying South of and above the 400 foot contour line of Lake Hamilton

**IN SECTION 33, TOWNSHIP 3 SOUTH, RANGE 19 WEST**

All of the S $\frac{1}{2}$ SW $\frac{1}{4}$  lying South of and above the 400 foot contour line of Lake Hamilton  
All of the S $\frac{1}{2}$ SE $\frac{1}{4}$  lying South of Red Oak Creek and South of and above the 400 foot contour line of Lake Hamilton

all of which property is located in Garland County, Arkansas, be and the same is hereby laid off and established as a Water and Sewer Improvement District under the authority of Act 41 of the General Assembly of the State of Arkansas for the year 1941, as amended, and that said District be and the same is hereby established for the purpose of constructing a complete water distribution and sewer collection system in the White Oak area of Garland County, Arkansas; and the Commissioners are hereby authorized to extend the said water and sewer lines beyond the limits of the said District where deemed necessary for the benefit of the District and to execute Contracts for the construction of the said water and sewer improvements as they may deem best; all the

ORDER ESTABLISHING  
White Oak Water and Sewer Improvement District  
PAGE 7

DD101

work to be done in the manner and of the materials the Commissioners of the District deem for the best interest thereof; that said District shall be known as WHITE OAK WATER AND SEWER IMPROVEMENT DISTRICT NO. 79 OF GARLAND COUNTY, ARKANSAS, and that the following are hereby appointed the Commissioners for said District: Position 1 - Oliver "Ken" Kennedy; Position 2 - William Frank Smith; Position 3 - Cheryl Reagan; Position 4 - Clifford Hair; Position 5 - Charles C. Sisney; Position 6 - Geral D. Harrison; and Position 7 - John C. Glassford.

IT IS SO ORDERED.

  
LARRY WILLIAMS, COUNTY JUDGE

DATE: January 12, 1998

•FILED•

MAR 17 1999

NANCY JOHNSON COUNTY CLERK  
BY Smith DC

IN THE COUNTY COURT OF GARLAND COUNTY, ARKANSAS

IN THE MATTER OF THE PETITION FOR  
RED OAK WATER IMPROVEMENT  
DISTRICT NO. 50, GARLAND COUNTY, ARKANSAS

NO. CC 99-7

**ORDER ESTABLISHING RED OAK WATER IMPROVEMENT  
DISTRICT NO. 50 OF GARLAND COUNTY, ARKANSAS**

On this date comes on to be heard the Petition of certain property owners for the formation of a Water Improvement District and come the Petitioners herein, by and through their attorney, J. E. Sanders, for and on behalf of all the signers of the Petition for the District and protestants pro se, and the Petition for the creation of the District is submitted to the Court upon the Petition, filed in multiple copies, proof that said Petition was signed by a majority of the number of realty owners, also being owners of a majority of realty in the area and owners of the majority of assessed value within the proposed District, proof that letters by Certified Mail of the intent to form the District mailed to all the property owners within the District on December 23, 1998, notifying said property owners of the intent to form the District, proof of the meeting held on January 12, 1999, after notice as required by law and conducted by Honorable Ed Foshee, Justice of the Peace of said District, said meeting being held between the hours of 6:00 p.m. and 8:00 p.m. on January 12, 1999, and at which meeting the following seven (7) persons who own property within the District were elected Commissioners of the District by owners of property located therein: Position 1 —



**ORDER ESTABLISHING DISTRICT  
PAGE 2**

Michelle Brunner; Position 2 – Tanna Clark; Position 3 – Parker Dozhier; Position 4 – John Green; Position 5 – Wm. Henry Jones; Position 6 – Betty Marshall; and Position 7 – Bill Thomason, the proof of publication by the Hot Springs Sentinel Record of the Notice of Hearing on the Petition, proof that the Notice of this hearing was mailed by certified mail, return receipt requested to all the property owners within the district on, February 1, 1999, and statement of counsel and the Court finds:

1. Prior to filing of the Petition in multiple copies for the formation of the improvement District, each owner of real property within the boundaries of the proposed District was notified by Certified Mail of the intent to form the proposed District and given notice of public hearing, said notice also was published in the Hot Springs Sentinel-Record on December 28, 1998 and January 4, 1999 and said public hearing was held on January 12, 1999, and

2. That Ed Foshee, Justice of the Peace of the area within the District, chaired the public meeting and conducted the election of the seven (7) Commissioners, in accordance ARK. CODE ANN. §14-92-201, et seq, and

3. That Nancy Johnson, Clerk of the County Court of Garland County, Arkansas gave notice of the filing thereof, describing the territory to be included and calling upon all persons who wished to be heard on the question of establishment of the District to appear before the court on the day fixed in the notice, namely February 19, 1999 at 10:00 a.m., in the County Court of Garland County, Arkansas, and

ORDER ESTABLISHING DISTRICT  
PAGE 3

4. Prior to this hearing each owner of real property within the boundaries of the proposed district was notified by certified mail, return receipt requested of the time and location of this hearing and said Notice of Hearing also was published in the Hot Springs sentinel-Record on February 2, 1999 and February 9, 1999, and

5. That Petition for formation of the District was filed with the Clerk of the County Court of Garland County, Arkansas on January 29, 1999, and

6. That the Court has examined the proof of publication made by the Clerk of the Court, Nancy Johnson and finds said notice clearly describes the lands to be affected and fixed the time and place of the hearing, said proof of publication of said notice being filed with the Court herein; that this is the place and date set for all protestants to the formation of the District to be heard; and that there were only protestants pro se making their record ore tenus to the formation of the District before the bar of this court, and

7. Proof was made by Ernest Pearson as to the number of property owners within the boundaries of the District and that a majority of said owners of real property have signed the petition; and

8. Proof was made by Ernest Pearson as to the number of acres situated within the boundaries of the District and that the owners of a majority of the acreage of the said real property within the District have signed the Petition, and

ORDER ESTABLISHING DISTRICT  
PAGE 4

9. Proof was made by Ernest Pearson as to the assessed value of the real property situated within the boundaries of the District and that said Petition was signed by owners of a majority in value of the said real property within the District, and

10. That all the requirements of *ARK. CODE ANN. §14-92-201, et seq* have been met in accordance with law, and

The Court further finds from the proof offered by Ernest Pearson that the total assessed value of the real property in the territory included in the District is \$4,255,567 and that the signers of the Petition are the owners of property within the District of an assessed value of \$2,885,414, constituting 66.00% of the assessed value of the said real property within the District; that the total land area included in the District is 631.57 acres and that the signers of the Petition are the owners of 418.54 acres of land within the District, constituting 66.00% of the land area located within the District and that there are a total of 676 owners of land within the District and that 366 owners of land within the District signed the Petition, constituting 54.00% of the owners of the real property within the District.

The Court further finds that the lands included within the District are all located in Garland County, Arkansas and outside but within five miles of the corporate limits of the City of Hot Springs, Arkansas, a City of First Class in the State of Arkansas, having a population of over 10,000 and under 40,000 according to the 1990 Federal Census. The Court further finds that the certificates were based upon an examination by Ernest Pearson of the last assessment of record in the offices of the County Assessor and

ORDER ESTABLISHING DISTRICT  
PAGE 5

the ownerships as shown by the last deeds of record in the offices of the Circuit Clerk, both of Garland County, Arkansas.

The Court further finds that the Petition is signed by owners of a majority in value of the said real property within the District, owners of a majority of the acreage of the said real property within the District and a majority of the owners of the said real property within the District as described in the Petition; that all the lands described in the Petition are situated within five miles of the City Limits of the City of Hot Springs, Arkansas; that the purpose for the organization of the District as set out in the Petition is a proper purpose under the Statutes authorizing the creation of the District; that the persons elected by the Petitioners to serve as Commissioners for the District are owners of real property in said District.

THE COURT DOES, THEREFORE, ORDER, ADJUDGE AND DECREE that the following territory, to-wit:

SECTION 26, TOWNSHIP 3 SOUTH, RANGE 19 WEST

The NE1/4-SW1/4, the West 990 feet of the NW1/4-SE1/4, also all lands East of a line 210 feet West of Carpenter Dam Rd. in the NW1/4-SW1/4.

SECTION 27, TOWNSHIP 3 SOUTH, RANGE 19 WEST

The West 3260 feet of all lands in this section South of Lake Hamilton and the Ouachita River; and all lands in the SE1/4 of this Section within 210 feet of Longview Pt. Rd. and Carpenter Dam Rd.

**ORDER ESTABLISHING DISTRICT  
PAGE 6**

**SECTION 33, TOWNSHIP 3 SOUTH, RANGE 19 WEST**

All lands above the 400' msl contour line in:

the S1/2-NW1/4;  
the N1/2-SW1/4;  
the SW1/4-NE1/4;  
the NW1/4-SE1/4;  
the N1/2-SE1/4-NE1/4;

Also all lands in the S1/2-SE1/4 lying North of Lake Hamilton and Red Oak Creek; and the East 210 feet of the NE1/4-NE1/4.

**SECTION 34, TOWNSHIP 3 SOUTH, RANGE 19 WEST**

The N1/2-NW1/4; the North 330 feet of the SE1/4-NW1/4; the South 210 feet and the East 210 feet of N1/2-NE1/4; the North and East 210 feet of the S1/2-NE1/4; the East 210 feet of the NE1/4-SE1/4; the South and East 210 feet of the SE1/4-SE1/4; the South 210 feet of the SW1/4-SE1/4.

**SECTION 35, TOWNSHIP 3 SOUTH, RANGE 19 WEST**

All lands in the W1/2 within 210 feet of Manson Loop, Carpenter Dam Road, Rockport Lane, Harmony Grove Rd. and Arkansas Hwy 290, except the 210 feet adjacent to and North of Ark. Hwy. 290 in the E1/2-SE1/4-NW1/4; the NW1/4-SE1/4.

**SECTION 3, TOWNSHIP 4 SOUTH, RANGE 19 WEST**

The NE1/4-NW1/4; the NW1/4-NE1/4; and all lands within 210 feet of Ark. Hwy. 290 in the E1/2-NE1/4.

all of which property is located in Garland County, Arkansas, be and the same is hereby laid off and established as a Water Improvement District Under the authority of Act 41 of the General Assembly of the State of Arkansas for the year 1941, as amended, and the said District be and the same is hereby established for the purpose of constructing a complete water distribution system in the Red Oak area of Garland County, Arkansas; and the Commissioners are hereby authorized to extend the said

ORDER ESTABLISHING DISTRICT  
PAGE 7

water lines beyond the limits of the said District where deemed necessary for the benefit of the District and to execute Contracts for the construction of the said water improvements as they may deem best; all the work to be done in the manner and of the materials the Commissioners of the District deem for the best interest thereof; that said District shall be known as RED OAK WATER IMPROVEMENT DISTRICT NO. 50 OF GARLAND COUNTY, ARKANSAS, NO.CC99-7 and that the following are hereby appointed the Commissioners for said District: Position 1 - Michelle Brunner; Position 2 - Tanna Clark; Position 3 - Parker Dozhier; Position 4 - John Green; Position 5 - Wm. Henry Jones; Position 6 - Betty Marshall; and Position 7 - Bill Thomason.

  
\_\_\_\_\_  
LARRY WILLIAMS, COUNTY JUDGE

DATE: 3/17/99

IN THE COUNTY COURT OF GARLAND COUNTY, ARKANSAS

IN THE MATTER OF THE PETITION FOR  
THE FORMATION OF A SEWER IMPROVEMENT  
DISTRICT IN THE RANDALL ROAD  
AREA OF GARLAND COUNTY, ARKANSAS

• FILED •

DEC 15 1999

NANCY JOHNSON COUNTY CLERK  
BY *[Signature]* DC

NO. CC 99-89

**ORDER  
ESTABLISHING RANDALL ROAD WATER IMPROVEMENT  
DISTRICT NO. 52 OF GARLAND COUNTY, ARKANSAS**

On the 15<sup>th</sup> day of December, 1999, comes on to be heard the Petition of certain property owners for the formation of a Water Improvement District and come the Petitioners herein, by and through their attorney, Ray Owen, Jr., for and on behalf of all the signers of the Petition for the District and protestants appearing not, and the Petition for the creation of the District is submitted to the Court upon the Petition, filed in multiple copies, proof that said Petition was signed by a majority of the number of realty owners, also being owners of a majority of realty in the area and owners of the majority of assessed value within the proposed District, proof that letters by Certified Mail of the intent to form the District mailed to all the property owners within the District on October 18, 1999, notifying said property owners of the intent to form the District, proof of the meeting held on November 11, 1999, after notice as required by law and conducted by Honorable Ed Foshee, Justice of the Peace of said District, said meeting being held between the hours of 6:00 p.m. and 10:00 p.m. on November 11, 1999, and at which meeting the following seven (7) persons who own property within the District were elected Commissioners of the District by owners of property located therein: Position 1 - Robert G. Goodrich, Position

ORDER ESTABLISHING DISTRICT  
PAGE 2

2 - Erich Meseke, Position 3 - B. F. Legge, Position 4 - Gordon W. Heiges, Position 5 - Kirby C. Williams, Position 6 - Earl T. Ricks, III and Position 7 - Buster W. Loveday, proof of which is filed herein, a map of the District and proof made by Ray Owen, Jr. as to the number of property owners, ownership area and assessed value, proof that letters by Certified Mail, return receipt requested, giving notice of this hearing were sent to all the property owners within the District on November 29, 1999, the proof of publication by the Hot Springs Sentinel-Record of the Notice of Hearing on the Petition, and statement of counsel and the Court finds:

1. Prior to filing of the Petition in multiple copies for the formation of the improvement District, each owner of real property within the boundaries of the proposed District was notified by certified mail, return receipt requested of the intent to form the proposed District and given notice of public hearing, said notice also was published in the Hot Springs Sentinel-Record on October 22, 1999 and October 29, 1999 and said public hearing was held on November 11, 1999, and

2. That Ed Foshee, Justice of the Peace of the area within the District, chaired the public meeting and conducted the election of the seven (7) Commissioners, in accordance A.C.A. §14-92-201, *et seq.* and

3. That Petition for formation of the District in multiple copies was filed with the Clerk of the County Court of Garland County, Arkansas on November 29, 1999, and



**ORDER ESTABLISHING DISTRICT  
PAGE 3**

4. That Nancy Johnson, Clerk of the County Court of Garland County, Arkansas gave notice of the filing thereof, by publication of same in the Hot Spring Sentinel-Record on November 20, 1999 and December 7, 1999, describing the territory to be included and calling upon all persons who wished to be heard on the question of establishment of the District to appear before the court on the day fixed in the notice, namely December 15, 1999 at 9:00 a.m., in the County Court of Garland County, Arkansas, and

5. Prior to this hearing, Notice of this hearing on the formation of the District was mailed by Certified Mail, Return Receipt Requested, to all owners of property within the District on November 29, 1999 and that a Certificate of Mailing reflecting same has been filed with the Court, and

6. That the Court has examined the proof of publication made by the Clerk of the Court, Nancy Johnson and finds said notice clearly describes the lands to be affected and fixed the time and place of the hearing, said proof of publication of said notice being filed with the Court herein; that this is the place and date set for all protestants to the formation of the District to be heard; and that there were no protestants to the formation of the District before the bar of this Court, and

7. Proof was made by Ray Owen, Jr. that a majority of said owners of real property have signed the petition; and

8. Proof was made by Ray Owen, Jr. that the owners of a majority of the acreage of the said real property within the District have signed the Petition, and

ORDER ESTABLISHING DISTRICT  
PAGE 4

9. Proof was made by Ray Owen, Jr. that said Petition was signed by owners of a majority in value of the said real property within the District, and

10. That all the requirements of A.C.A. §14-92-201, *et seq* have been met in accordance with law, and

The Court further finds that the lands included within the District are all located in Garland County, Arkansas and outside of the corporate limits of the City of Hot Springs, Arkansas, a City of First Class, in the State of Arkansas, having a population of over 10,000 and under 40,000 according to the 1990 Federal Census.

The Court further finds that the certificates were based upon an examination by Ray Owen, Jr. of the last assessment of record in the Offices of the County Assessor and the ownerships as shown by the last deeds of record in the Offices of the Circuit Clerk, both of Garland County, Arkansas.

The Court further finds that the Petition is signed by owners of a majority in value of the said real property within the District, owners of a majority of the acreage of the said real property within the District and a majority of the owners of the said real property within the District as described in the Petition; that all the lands described in the Petition are situated in Garland County, Arkansas but outside the City Limits of the City of Hot Springs, Arkansas; that the purpose for the organization of the District as set out in the Petition is a proper purpose under the Statutes authorizing the creation of the District; that the

**ORDER ESTABLISHING DISTRICT**  
**PAGE 5**

persons elected by the Petitioners to serve as Commissioners for the District are owners of real property in said District.

**THE COURT DOES, THEREFORE, ORDER, ADJUDGE AND DECREE** that the following territory, to-wit:

The following described property situated in Garland County, Arkansas:

**SECTION 34, TOWNSHIP 3 SOUTH, RANGE 20 WEST**

All lands within the NW $\frac{1}{4}$  - SW $\frac{1}{4}$  South of the Little Mazam Creek. All lands within the SW $\frac{1}{4}$  - SW $\frac{1}{4}$  South of the Little Mazam Creek.

**SECTION 33, TOWNSHIP 3 SOUTH, RANGE 20 WEST**

All lands within the S $\frac{1}{2}$  of Section 33 South and/or East of the Little Mazam Creek.

**SECTION 32, TOWNSHIP 3 SOUTH, RANGE 20 WEST**

All lands within the NE $\frac{1}{4}$  - SE $\frac{1}{4}$  South and/or East of the Little Mazam Creek.

**SECTION 4, TOWNSHIP 4 SOUTH, RANGE 20 WEST**

All lands within the NW $\frac{1}{4}$  - NE $\frac{1}{4}$ . All lands within the N $\frac{1}{2}$  of the NW $\frac{1}{4}$ . All lands within the N $\frac{1}{2}$  of the fractional NE $\frac{1}{4}$ . All lands within the fractional NW $\frac{1}{4}$ .

all of which property is located in Garland County, Arkansas, be and the same is hereby laid off and established as a Water Improvement District under the authority of Act 41 of the General Assembly of the State of Arkansas for the year 1941, as amended, and that said District be and the same is hereby established for the purpose of constructing a complete water distribution system in the Randall Road area of Garland County, Arkansas; and the Commissioners are hereby authorized to extend the said water lines beyond the limits of the said District where deemed necessary for the benefit of the District and to execute Contracts for the construction of the said water improvements as they may deem best; all the work to be done in the manner and of the materials the Commissioners of the

ORDER ESTABLISHING DISTRICT  
PAGE 6

District deem for the best interest thereof; that said District shall be known as RANDALL ROAD WATER IMPROVEMENT DISTRICT NO. 52 OF GARLAND COUNTY, ARKANSAS, and that the following are hereby appointed the Commissioners for said District: Position 1 - Robert G. Goodrich, Position 2 - Erich Meseke, Position 3 - B. F. Legge, Position 4 - Gordon W. Heiges, Position 5 - Kirby C. Williams, Position 6 - Earl T. Ricks, III and Position 7 - Buster W. Loveday.

IT IS SO ORDERED.

  
\_\_\_\_\_  
LARRY WILLIAMS, COUNTY JUDGE

DATE: 12/15/99

**IN THE COUNTY COURT OF GARLAND COUNTY, ARKANSAS**

**IN THE MATTER OF THE PETITION FOR  
COOPER CREEK WATER IMPROVEMENT  
DISTRICT NO. 57, GARLAND COUNTY,  
ARKANSAS**

2001 OCT 19 AM 9 54

NANCY JOHNSON  
GARLAND CO. CLERK  
BY No. CC-01-77

*Melissa Hobbs*

**ORDER ESTABLISHING COOPER CREEK WATER  
IMPROVEMENT DISTRICT NO. 57  
OF GARLAND COUNTY, ARKANSAS**

On this date comes on to be heard the Petition of certain property owners for the formation of a Water Improvement District and come the Petitioners herein, by and through their attorney, J. E. Sanders, for and on behalf of all the signers of the Petition for the District and protestants pro se, and the Petition for the creation of the District is submitted to the Court upon the Petition, filed in multiple copies, proof that said Petition was signed by a majority of the number of realty owners, also being owners of a majority of realty in the area and owners of the majority of assessed value within the proposed District, proof that letters by Certified Mail of the intent to form the District mailed to all the property owners within the District on August 27, 2001, notifying said property owners of the intent to form the District, proof of the meeting held on September 13, 2001, after notice as required by law and conducted by Honorable Ed Foshee, Justice of the Peace of said District, said meeting being held between the hours of 6:00 p.m. and 8:00 p.m. on September 13, 2001, and at which meeting the following seven (7) persons who own property within the District were elected Commissioners of the District by owners of property located therein: Position No. 1- Christopher Nickolson, Position No. 2 - Dean Barley, Position No. 3 - Robert Dickey, Position No. 4 - Charles Griffith, Position No. 5 - Thomas Cellers, Position No. 6 - John Cook, Position No. 7 - Bonnie Sullivan, the proof of publication by the Hot Springs Sentinel Record of the Notice of Hearing on the Petition, proof that the Notice of this hearing was mailed by certified mail, return receipt requested to all the property owners

within the district on October 1, 2001, and statement of counsel and the Court finds:

1. Prior to filing of the Petition in multiple copies for the formation of the Improvement District, each owner of real property within the boundaries of the proposed District was notified by Certified Mail of the intent to form the proposed District and given notice of public hearing, said notice also was published in the Hot Springs Sentinel-Record on August 24, 2001 and August 31, 2001 and said public hearing was held on September 13, 2001, and

2. That Ed Foshee, Justice of the Peace of the area within the District, chaired the public meeting and conducted the election of the seven (7) Commissioners, in accordance ARK. CODE ANN. §14-92-201, *et seq.*, and

3. That Nancy Johnson, Clerk of the County Court of Garland County, Arkansas gave notice of the filing thereof, describing the territory to be included and calling upon all persons who wished to be heard on the question of establishment of the District to appear before the court on the day fixed in the notice, namely October 19, 2001 at 9:00 a.m., in the County Court of Garland County, Arkansas, and

4. Prior to this hearing each owner of real property within the boundaries of the proposed district was notified by certified mail, return receipt requested, of the time and location of this hearing and said Notice of Hearing also was published in the Hot Springs Sentinel-Record on October 2, 2001 and October 9, 2001, and

5. That Petition for formation of the District was filed with the Clerk of the County Court of Garland County, Arkansas on October 1, 2001, and

6. That the Court has examined the proof of publication made by the Clerk of the Court, Nancy Johnson and finds said notice clearly describes the lands to be affected and fixed the time and place of the hearing, said proof of publication of said notice being filed with the Court herein; that this is the place and date set for all protestants to the formation of the District to be heard; and

that there were only protestants pro se making their record ore tenus to the formation of the District before the bar of this court, and

7. Proof was made by Ernest Pearson as to the number of property owners within the boundaries of the District and that a majority of said owners of real property have signed the petition; and

8. Proof was made by Ernest Pearson as to the number of acres situated within the boundaries of the District and that the owners of a majority of the acreage of the said real property within the District have signed the Petition, and

9. Proof was made by Ernest Pearson as to the assessed value of the real property situated within the boundaries of the District and that said Petition was signed by owners of a majority in value of the said real property within the District, and

10. That all the requirements of *ARK. CODE ANN. §14-92-201, et seq* have been met in accordance with law, and

The Court further finds from the proof offered by Ernest Pearson that the total assessed value of the real property in the territory included in the District is \$892,969 and that the signers of the Petition are the owners of property within the District of an assessed value of \$697,094 constituting 78% of the assessed value of the said real property within the District; that the total land area included in the District is 284.68 acres and that the signers of the Petition are the owners of 217.70 acres of land within the District, constituting 76% of the land area located within the District and that there are a total of 332 owners of land within the District and that 181 owners of land within the District signed the Petition, constituting 55% of the owners of the real property within the District.

The Court further finds that the lands included within the District are all located in Garland County, Arkansas and outside but within five miles of the corporate limits of the City of Hot Springs, Arkansas, a City of First Class in the State of Arkansas, having a population of over 10,000 and under 40,000 according to the 1990 Federal Census.

The Court further finds that the certificates were based upon an examination by Ernest Pearson of the last assessment of record in the offices of the County Assessor and the ownerships as shown by the last deeds of record in the offices of the Circuit Clerk, both of Garland County, Arkansas.

The Court further finds that the Petition is signed by owners of a majority in value of the said real property within the District, owners of a majority of the acreage of the said real property within the District and a majority of the owners of the said real property within the District as described in the Petition; that all the lands described in the Petition are situated within five miles of the City Limits of the City of Hot Springs, Arkansas; that the purpose for the organization of the District as set out in the Petition is a proper purpose under the Statutes authorizing the creation of the District; that the persons elected by the Petitioners to serve as Commissioners for the District are owners of real property in said District.

THE COURT DOES, THEREFORE, ORDER, ADJUDGE AND DECREE that the following territory, to-wit:

**SECTION 25, TOWNSHIP 3 SOUTH, RANGE 19 WEST**

All lands in the SE 1/4 lying South of Lake Catherine less and except the SW 1/4-SE 1/4 and less and except any part of Lots 10 through 14, 16 through 18, 23 through 38, 40, 41, 42, 49 and 50 of Lake Catherine LakeView Estates Subdivision.

**SECTION 35, TOWNSHIP 3 SOUTH, RANGE 19 WEST**

All lands in the E 1/4 contained in a strip of land 210 feet wide lying South of and adjacent to the South r-o-w of Ark. Hwy. 290.

**SECTION 36, TOWNSHIP 3 SOUTH, RANGE 19 WEST**

The E 1/2 of the NE 1/4 less and except any part of Lots 6 and 8 through 18 of Lake Catherine LakeView Estates Subdivision; the NE 1/4-SE 1/4; the East 330 feet of the SE 1/4 of the SW 1/4 of the NE 1/4; the North 210 feet of the NW 1/4 of the SE 1/4 that is lying south of Ark. Hwy. 290; also all lands in the SE 1/4 of the NW 1/4 South of Ark. Hwy. 290; also the N 1/2 of the NE 1/4-SW 1/4 and all lands within 210 feet of the r-o-w of Red Oak Dr. across the S 1/2 of the NE 1/4-SW 1/4; also all lands in the W 1/4 contained in a strip of land 210 feet wide lying south of and adjacent to the South r-o-w of Ark. Hwy. 290.



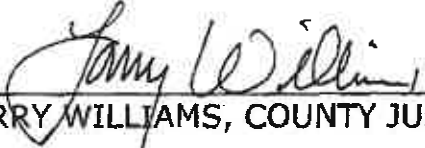
**SECTION 30, TOWNSHIP 3 SOUTH, RANGE 18 WEST**

All lands in the SW 1/4-SW 1/4 lying South of Lake Catherine less and except any part of Lot 10 of Lake Catherine LakeView Estates Subdivision.

**SECTION 31, TOWNSHIP 3 SOUTH, RANGE 18 WEST**

All lands in the West 1/4 lying South of Lake Catherine and North of a line 210 feet South of Ark. Hwy. 290; also all lands lying south of Lake Catherine in the NE 1/4-NW 1/4.

all of which property is located in Garland County, Arkansas, be and the same is hereby laid off and established as a Water Improvement District Under the authority of Act 41 of the General Assembly of the State of Arkansas for the year 1941, as amended, and the said District be and the same is hereby established for the purpose of constructing a complete water distribution system in the Cooper Creek area of Garland County, Arkansas; and the Commissioners are hereby authorized to extend the said water lines beyond the limits of the said District where deemed necessary for the benefit of the District and to execute Contracts for the construction of the said water improvements as they may deem best; all the work to be done in the manner and of the materials the Commissioners of the District deem for the best interest thereof; that said District shall be known as COOPER CREEK WATER IMPROVEMENT DISTRICT NO. 57 OF GARLAND COUNTY, ARKANSAS, NO.CC-01-77 and that the following are hereby appointed the Commissioners for said District: Position No. 1- Christopher Nickolson, Position No. 2 - Dean Barley, Position No. 3 - Robert Dickey, Position No. 4 - Charles Griffith, Position No. 5 - Thomas Cellers, Position No. 6 - John Cook, Position No. 7 - Bonnie Sullivan.

  
\_\_\_\_\_  
LARRY WILLIAMS, COUNTY JUDGE  
DATE: October 19, 2001

## IN THE CIRCUIT COURT OF GARLAND COUNTY, ARKANSAS

IN THE MATTER OF THE PETITION FOR  
HIDEAWAY HILLS WATER IMPROVEMENT  
DISTRICT, GARLAND COUNTY AND HOT  
SPRING COUNTY, ARKANSAS

NO. CIV 89-847

ORDER ESTABLISHING HIDE-A-WAY HILLS WATER IMPROVEMENT  
DISTRICT OF HOT SPRING COUNTY, ARKANSAS  
AND GARLAND COUNTY, ARKANSAS

On this date comes on to be heard the Petition of certain property owners for the formation of a Water Improvement District and come the Petitioners herein, by and through their attorney, Ray Owen, Jr., for and on behalf of all the signers of the Petition for the District and protestants come not, there being none and the Petition for the creation of the District is submitted to the Court upon the Petition, filed in multiple copies, proof that said Petition was signed by a majority of the number of realty owners, also being owners of a majority of realty in the area and owners of the majority of assessed value within the proposed District, proof that letters by Certified Mail of the intent to form the District mailed to all the property owners within the District on June 10, 1991, notifying said property owners of the intent to form the District, proof of the meeting held on June 27, 1991, after notice as required by law and conducted by Honorable Harry Cloud, Justice of the Peace of said District, said meeting being held between the hours of 7:00 p.m. and 10:00 p.m. on June 27, 1991, and at which meeting the following seven (7) persons who own property within the District were elected Commissioners of the District by owners of property located therein: Position 1 - Jane Butler; Position 2 -

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ORDER ESTABLISHING DISTRICT  
PAGE 2

Bruce MacPherson; Position 3 - William Schmidt; Position 4 - Everett Twyford; Position 5 - Henry McMillian; Position 6 - Dudley Blancke and Position 7 - William Koivenen, the proof of publication by the Hot Springs Sentinel Record of the Notice of Hearing on the Petition, proof that the Notice of this hearing was mailed by certified mail, return receipt requested to all the property owners within the district on July 12, 1991 and statement of counsel and the Court finds:

1. Prior to filing of the Petition in multiple copies for the formation of the Improvement District, each owner of real property within the boundaries of the proposed District was notified by Certified Mail of the intent to form the proposed District and given notice of public hearing, said notice also was published in the Hot Springs Sentinel-Record on June 14, 1991 and June 21, 1991 and said public hearing was held on June 27, 1991, and

2. That Harry Cloud, Justice of the Peace of the area within the District, chaired the public meeting and conducted the election of the seven (7) Commissioners, in accordance ARK. CODE ANN. §14-92-201, *et seq*, and

3. That Vicki Threadgill, Clerk of the Circuit Court of Garland County, Arkansas gave notice of the filing thereof, describing the territory to be included and calling upon all persons who wished to be heard on the question of establishment of the District to appear before the court on the day fixed in the

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ORDER ESTABLISHING DISTRICT  
PAGE 3

notice, namely July 29, 1991 at 1:30 p.m., in the Circuit Court of Garland County, Arkansas, and

4. Prior to this hearing each owner of real property within the boundaries of the proposed district was notified by certified mail, return receipt requested of the time and location of this hearing and said Notice of Hearing also was published in the Hot Springs Sentinel-Record on July 11 and July 18, 1991, and

5. That Petition for formation of the District was filed with the Clerk of the Circuit Court of Garland County, Arkansas on July 9, 1991, and

6. That the Court has examined the proof of publication made by the Clerk of the Court, Vicki Threadgill and finds said notice clearly describes the lands to be affected and fixed the time and place of the hearing, said proof of publication of said notice being filed with the Court herein; that this is the place and date set for all protestants to the formation of the District to be heard; and that there were no protestants to the formation of the District before the bar of this Court, and

7. Proof was made by E. J. "Pat" Patterson as to the number of property owners within the boundaries of the District and that a majority of said owners of real property have signed the petition; and

8. Proof was made by E. J. "Pat" Patterson as to the number of acres situated within the boundaries of the District and that the owners of a majority of the acreage of the said real property

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ORDER ESTABLISHING DISTRICT  
PAGE 4

within the District have signed the Petition, and

9. Proof was made by E. J. "Pat" Patterson as to the assessed value of the real property situated within the boundaries of the District and that said Petition was signed by owners of a majority in value of the said real property within the District, and

10. That all the requirements of ARK. CODE ANN. §14-92-201, *et seq* have been met in accordance with law, and

The Court further finds from the proof offered by E. J. "Pat" Patterson that the total assessed value of the real property in the territory included in the District is \$560,763.00 and that the signers of the Petition are the owners of property within the District of an assessed value of \$348,167.00, constituting 62.09% of the assessed value of the said real property within the District; that the total land area included in the District is 126.714 acres and that the signers of the Petition are the owners of 68.083 acres of land within the District, constituting 53.73% of the land area located within the District and that there are a total of 158 owners of land within the District and that 89 owners of land within the District signed the Petition, constituting 56.33% of the owners of the real property within the District.

The Court further finds that the lands included within the District are all located in Garland County, Arkansas and Hot Spring County, Arkansas and outside but within five miles of the corporate limits of the City of Hot Springs, Arkansas, a City of First Class

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in the State of Arkansas, having a population of over 10,000 and under 40,000 according to the 1990 Federal Census.

The Court further finds that the certificates were based upon an examination by E. J. "Pat" Patterson of the last assessment of record in the Offices of the County Assessor and the ownerships as shown by the last deeds of record in the Offices of the Circuit Clerk, both of Garland County, Arkansas and Hot Springs County, Arkansas.

The Court further finds that the Petition is signed by owners of a majority in value of the said real property within the District, owners of a majority of the acreage of the said real property within the District and a majority of the owners of the said real property within the District as described in the Petition; that all the lands described in the Petition are situated within five miles of the City Limits of the City of Hot Springs, Arkansas; that the purpose for the organization of the District as set out in the Petition is a proper purpose under the Statutes authorizing the creation of the District; that the persons elected by the Petitioners to serve as Commissioners for the District are owners of real property in said District.

THE COURT DOES, THEREFORE, ORDER, ADJUDGE AND DECREE that the following territory, to-wit:

A part of the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  and part of the SW $\frac{1}{4}$ , SE $\frac{1}{4}$  all lying in Section 15, Township 3 South, Range 20 West, Garland County, Arkansas and more particularly described as follows:

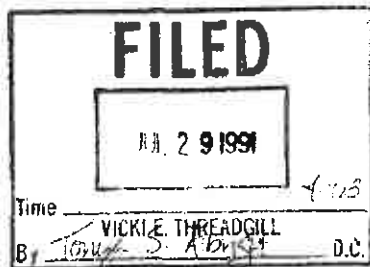
Ray Owen, Jr.  
Attorney At Law  
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Hot Springs, Arkansas 71901  
501/521-4244

Commencing at the SW Corner of the said SE $\frac{1}{4}$ , SE $\frac{1}{4}$  of said Section 15, run North 0 deg. 40 min. East along the West line of said SE $\frac{1}{4}$  SE $\frac{1}{4}$ , 609.9 feet to an iron pipe, thence North 89 deg. 38 min. 31" West (Platted North 89 deg. 42 min. West) 69.72 feet, to the Point of Beginning; thence South 72 deg. 53 min. 45 seconds East 143.77 feet; thence South 78 deg. 09 min. 40 seconds East 70.48 feet; thence North 42 degrees 07 minutes 47 seconds East 73.69 feet; thence North 07 deg. 20 min. 27 seconds East 154.13 feet; thence North 79 deg. 51 min. 43 seconds East 63.24 feet; thence North 80 deg. 50 min. East 86.5 feet to the 400 foot contour line of Lake Hamilton; thence Southerly along the said 400 foot contour the following courses and distances; South 38 deg. 44 min. 47 seconds East 35.40 feet; South 11 deg. 28 min. 18 seconds East 125.37 feet, thence South 01 deg. 14 min. 14 seconds West 117.51 feet, South 43 deg. 14 min. 11 seconds East 10.09 feet; thence Southeasterly and Southwesterly along the said 400 foot contour 279 feet, more or less, to a point which bears South 13 deg. 37 min. 04 seconds East, 234.41 feet from the last said point, thence Southwesterly and Northwesterly along the said 400 foot contour 244 feet more or less, to a fence corner post which bears North 86 deg. 18 min. 58 seconds West, 196.49 feet from the last said point, thence leaving said 400 foot contour North 08 deg. 20 min. 18 seconds West along a fence 44.18 feet to an iron pin, thence North 11 deg. 10 min. 24 seconds West along a fence 170.53 feet to an iron pin; thence North 77 deg. 36 min. 41 seconds West 169.07 feet to an iron pin, thence North 71 deg. 53 min. 19 seconds West, platted North 70 deg. 14 min. West 91.5 feet, thence North 64 deg. 25 min. 33 seconds West, Platted North 66 deg. 25 min. West 91.5 feet, thence South 89 deg. 38 min. 31 seconds East, Platted South 89 deg. 42 min. East 79.82 feet to the Point of Beginning. Containing 0.11 acres, more or less, in the SW $\frac{1}{4}$  SE $\frac{1}{4}$  and 2.3 acres, more or less, in the SE $\frac{1}{4}$  SE $\frac{1}{4}$  and containing in the aggregate of 2.41 acres, more or less.

all of which property is located in Garland County, Arkansas and Hot Spring County, Arkansas, be and the same is hereby laid off and established as a Water Improvement District Under the authority of Act 41 of the General Assembly of the State of Arkansas for the year 1941, as amended, and the said District be and the same is

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hereby established for the purpose of constructing a complete water distribution system in the Hide-A-Way Hills areas of Garland County, Arkansas and Hot Spring County, Arkansas; and the Commissioners are hereby authorized to extend the said water lines beyond the limits of the said District where deemed necessary for the benefit of the District and to execute Contracts for the construction of the said water improvements as they may deem best; all the work to be done in the manner and of the materials the Commissioners of the District deem for the best interest thereof; that said District shall be known as HIDE-A-WAY HILLS WATER IMPROVEMENT DISTRICT OF GARLAND COUNTY, ARKANSAS AND HOT SPRING COUNTY, ARKANSAS, NO. 91-1 and that the following are hereby appointed the Commissioners for said District: Position 1 - Jane Butler; Position 2 - Bruce MacPherson; Position 3 - William Schmidt; Position 4 - Everett Twyford; Position 5 - Henry McMillian; Position 6 - Dudley Blancke and Position 7 - William Koivenen.



*Walter G. Wright*  
WALTER G. WRIGHT, CIRCUIT JUDGE  
DATE: JUL 29 1991



9:00  
OCT 1 1987

IN THE CIRCUIT COURT OF GARLAND COUNTY, ARKANSAS

*Line 1000*

IN THE MATTER OF THE PETITION FOR  
THE FORMATION OF A WATER IMPROVE-  
MENT DISTRICT IN THE SULPHUR HILL  
AREAS OF GARLAND COUNTY, ARKANSAS  
AND HOT SPRING COUNTY, ARKANSAS

NO. CIV 87-768

ORDER ESTABLISHING SULPHUR HILL WATER IMPROVEMENT  
DISTRICT OF HOT SPRING COUNTY, ARKANSAS  
AND GARLAND COUNTY, ARKANSAS

On this 28th day of September, 1987 comes on to be heard the Petition of certain property owners for the formation of a Water Improvement District and come the Petitioners by Wood, Smith, Schnipper & Clay, their attorneys, for and on behalf of all the signers of the Petition for the District, and protestants come not, there being none, and the Petition for the creation of the District is submitted to the Court upon the petition, filed in multiple copies, proof that said Petition was signed by a majority of the number of realty owners, also being owners of a majority of realty in the area and owners of the majority of assessed value within the proposed District, proof that letters by certified mail of the intent to form the District mailed to all the property owners within the District on June 17, 1987, notifying said property owners of the intent to form the District, proof of the meeting held on July 7, 1987, after notice as required by law and conducted by Honorable Billy Whisenhunt, Senior Justice of the Peace of said District, said meeting being held between the hours of 7:00 o'clock p.m., and 10:00 o'clock

p.m. on July 7, 1987, and at which meeting the following seven (7) persons who own property within the District were elected Commissioners of the District by owners of property located therein: Position 1 - Mark Adams; Position 2 - Gene Jackson; Position 3 - Deborah Muncrief; Position 4 - John Jenkins; Position 5 - Roy McGill; Position 6 - Ruth Sims; and Position 7 - Kenneth Reaves, proof of which is filed herein, a map of the District, and proof made by E. J. Patterson as to the number of property owners, ownership area, and assessed value, the proof of publication by the Hot Springs Sentinel Record and the Malvern Daily Record of the notice of hearing on the Petition, and statements of counsel, and the Court finds:

A. Prior to filing of the Petition in multiple copies for the formation of the Improvement District, each owner of real property within the boundaries of the proposed District was notified by Certified Mail of the intent to form the proposed District, and given notice of public hearing, said notice also was published in the Hot Springs Sentinel Record on June 23, 1987 and June 30, 1987 and was published in the Malvern Daily Record on June 23, 1987 and June 30, 1987, and said public hearing was held on July 7, 1987, and

B. That Billy Whisenhunt, Senior Justice of the Peace of the area within the District, chaired the public meeting and conducted the election of the seven (7) Commissioners, in accordance with Act 510 of the Acts of the State of Arkansas, 1981, and

C. That Petition for formation of the District in multiple

copies was filed with the Clerk of the Circuit Court of Garland County, Arkansas on August 5, 1987, and

D. That Calvin Sanders, Clerk of the Circuit Court of Garland County, Arkansas, gave notice of the filing thereof, describing the territory to be included and calling upon all persons who wished to be heard on the question of establishment of the District to appear before the Court on the day fixed in the notice, namely September 28, 1987 at 1:30 o'clock p.m., in the Circuit Court of Garland County, Arkansas, and

E. That the Court has examined the proof of publication made by the Clerk of the Court, Calvin Sanders, and finds said notice clearly describes the lands to be affected and fixed the time and place of the hearing, said proof of publication of said notice being filed with the Court herein; that this is the place and date set for all protestants to the formation of the District to be heard; and that there were no protestants to the formation of the District before the bar of this Court, and

F. Proof was made by E. J. Patterson as to the number of property owners within the boundaries of the District, and that a majority of said owners of real property have signed the petition; and

G. Proof was made by E. J. Patterson as to the number of acres situated within the boundaries of the District, and that the owners of a majority of the acreage of the said real property within the District have signed the Petition, and

H. Proof was made by E. J. Patterson as to the assessed

value of the real property situated within the boundaries of the District, and that said Petition was signed by owners of a majority in value of the said real property within the District, and

I. That all the requirements of Section 20-701 and 20-702 Arkansas Statutes have been met in accordance with law, and

The Court further finds from the proof offered by E. J. Patterson that the total assessed value of the real property in the territory included in the District is \$1,046,040.00 and that the signers of the Petition are the owners of property within the District of an assessed value of \$631,355.00, constituting 60% of the assessed value of the said real property within the District; that the total land area included in the District is 988.67 acres and that the signers of the Petition are the owners of 700.48 acres of land within the District, constituting 71% of the land area located within the District and that there are a total of 173 owners of land within the District and that 95 owners of land within the District signed the Petition, constituting 55% of the owners of the real property within the District.

The Court further finds that the lands included within the District are all located in Garland County, Arkansas and Hot Spring County, Arkansas, and outside but within five miles of the corporate limits of the City of Hot Springs, Arkansas, a City of First Class, in the State of Arkansas, having a population of

over 10,000 and under 40,000 according to the 1980 Federal Census.

The Court further finds that the certificates were based upon an examination by E. J. Patterson of the last assessment of record in the Offices of the County Assessor and the ownerships as shown by the last deeds of record in the Offices of the Circuit Clerk, both of Garland County, Arkansas and Hot Spring County, Arkansas.

The Court further finds that the Petition is signed by owners of a majority in value of the said real property within the District, owners of a majority of the acreage of the said real property within the District, and a majority of the owners of the said real property within the District as described in the Petition; that all the lands described in the Petition are situated within five miles of the City Limits of the City of Hot Springs, Arkansas; that the purpose for the organization of the District as set out in the Petition is a proper purpose under the Statutes authorizing the creation of the District; that the persons elected by the Petitioners to serve as Commissioners for the District are owners of real property in said District.

THE COURT DOES, THEREFORE, ORDER, ADJUDGE AND DECREE that the following territory, to-wit:

THE FOLLOWING LANDS LOCATED IN TOWNSHIP 3 SOUTH, RANGE 18 WEST, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

SECTION 14, HOT SPRING COUNTY  
SW $\frac{1}{4}$ -SW $\frac{1}{4}$ ; that part South of Hwy 270 in the SE $\frac{1}{4}$ -SW $\frac{1}{4}$ ;  
that part South of Hwy 270 in the SW $\frac{1}{4}$ -SE $\frac{1}{4}$

SECTION 15, GARLAND COUNTY  
S $\frac{1}{2}$ ; SW $\frac{1}{4}$ -NE $\frac{1}{4}$ ; SE $\frac{1}{4}$ -NE $\frac{1}{4}$ ; SE $\frac{1}{4}$ -NW $\frac{1}{4}$

SECTION 21, GARLAND COUNTY  
That part North of Hwy 270 in the East  $\frac{1}{2}$  of  
NW $\frac{1}{4}$ -NE $\frac{1}{4}$ ; that part North of Hwy 270 in the NE $\frac{1}{4}$ -NE $\frac{1}{4}$

SECTION 22, GARLAND COUNTY  
SE $\frac{1}{4}$ ; NE $\frac{1}{4}$ -NE $\frac{1}{4}$ ; SW $\frac{1}{4}$ -NE $\frac{1}{4}$ ; SE $\frac{1}{4}$ -NE $\frac{1}{4}$ ; SE $\frac{1}{4}$ -NW $\frac{1}{4}$ ;  
NE $\frac{1}{4}$ -SW $\frac{1}{4}$ ; SE $\frac{1}{4}$ -SW $\frac{1}{4}$ ; SW $\frac{1}{4}$ -SW $\frac{1}{4}$ ; that part North of  
Hwy 270 in the NW $\frac{1}{4}$ -NW $\frac{1}{4}$ ; that part South and  
East of Lake Catherine in the NW $\frac{1}{4}$ -SW $\frac{1}{4}$

SECTION 23, HOT SPRING COUNTY  
NW $\frac{1}{4}$ -NW $\frac{1}{4}$ ; that part North of the railroad in  
the SW $\frac{1}{4}$ -NW $\frac{1}{4}$

SECTION 27, HOT SPRING COUNTY  
That part along the North shoreline of Lake Catherine

all of which property is located in Garland County, Arkansas and  
Hot Spring County, Arkansas, be and the same is hereby laid off  
and established as a Water Improvement District under the  
authority of Act 41 of the General Assembly of the State of  
Arkansas for the year 1941, as amended, and that said District be  
and the same is hereby established for the purpose of  
constructing a complete water distribution system in the Sulphur  
Hill areas of Hot Spring County, Arkansas and Garland County,  
Arkansas; and the Commissioners are hereby authorized to extend  
the said water lines beyond the limits of the said District where  
deemed necessary for the benefit of the District, and to execute  
Contracts for the construction of the said water improvements as  
they may deem best; all of the work to be done in the manner and  
of the materials the Commissioners of the District deem for the  
best interests thereof; that said District shall be known as  
SULPHUR HILL WATER IMPROVEMENT DISTRICT OF HOT SPRING COUNTY,

Page -7-

ARKANSAS AND GARLAND COUNTY, ARKANSAS, and that the following are hereby appointed the Commissioners for said District: Position 1 - Mark Adams; Position 2 - Gene Jackson; Position 3 - Deborah Muncrief; Position 4 - John Jenkins; Position 5 - Roy McGill; Position 6 - Ruth Sims; and Position 7 - Kenneth Reaves.

  
WALTER G. WRIGHT, CIRCUIT JUDGE

OCT 1 1987

ENTERED: \_\_\_\_\_

-7-

IN THE COUNTY COURT OF GARLAND COUNTY, ARKANSAS

2002 JUL 29 AM 11 22

NANCY JOHNSON  
GARLAND CO. CLERK

IN THE MATTER OF THE PETITION FOR  
MORNING STAR WATER IMPROVEMENT  
DISTRICT, GARLAND COUNTY, ARKANSAS

NO. CC 02-52

**ORDER  
ESTABLISHING MORNING STAR WATER IMPROVEMENT  
DISTRICT NO. 58 OF GARLAND COUNTY, ARKANSAS**

On the 29<sup>th</sup> day of July, 2002, comes on to be heard the Petition of certain property owners for the formation of a Water Improvement District and come the Petitioners herein, by and through their attorney, Ray Owen, Jr., for and on behalf of all the signers of the Petition for the District and protestants appearing not, and the Petition for the creation of the District is submitted to the Court upon the Petition, filed in multiple copies, proof that said Petition was signed by a majority of the number of realty owners, also being owners of a majority of realty in the area and owners of the majority of assessed value within the proposed District, proof that letters by Certified Mail of the intent to form the District mailed to all the property owners within the District on June 7, 2002, notifying said property owners of the intent to form the District, proof of the meeting held on June 25, 2002, after notice as required by law and conducted by Honorable Mickey Gates, Justice of the Peace of said District, said meeting being held between the hours of 6:00 p.m. and 10:00 p.m. on June 25, 2002, and at which meeting the following seven (7) persons who own property within the District were elected Commissioners of the District by owners of property located therein: Position 1 - Jerry Davis; Position 2 - Pam White; Position 3 - Lonnie Harris; Position 4 - Laverne <sup>Guerin</sup> Guerin-Black; Position 5 - Dennis Fason; Position 6 - Bruce Stearns;



and Position 7 - Mary Davis, proof of which is filed herein, a map of the District and proof made by William Malone as to the number of property owners, ownership area and assessed value, proof that letters by Certified Mail, return receipt requested, giving notice of this hearing were sent to all the property owners within the District on July 11, 2002, the proof of publication by the Hot Springs Sentinel-Record of the Notice of Hearing on the Petition, and statement of counsel and the Court finds:

1. Prior to filing of the Petition in multiple copies for the formation of the improvement District, each owner of real property within the boundaries of the proposed District was notified by certified mail, return receipt requested of the intent to form the proposed District and given notice of public hearing, said notice also was published in the Hot Springs Sentinel-Record on June 7, 2002 and June 14, 2002 and said public hearing was held on June 25, 2002, and

2. That Mickey Gates, Justice of the Peace of the area within the District, chaired the public meeting and conducted the election of the seven (7) Commissioners, in accordance A.C.A. §14-92-201, *et seq.* and

3. That Petition for formation of the District in multiple copies was filed with the Clerk of the County Court of Garland County, Arkansas on July 11, 2002, and

4. That Nancy Johnson, Clerk of the County Court of Garland County, Arkansas gave notice of the filing thereof, by publication of same in the Hot Spring Sentinel-Record on July 11 and July 18, 2002, describing the territory to be included and calling upon all persons who wished to be heard on the question of establishment of the District to appear

before the court on the day fixed in the notice, namely July 29, 2002 at 10:00 a.m., in the County Court of Garland County, Arkansas, and

5. Prior to this hearing, Notice of this hearing on the formation of the District was mailed by Certified Mail, Return Receipt Requested, to all owners of property within the District on July 11, 2002 and that a Certificate of Mailing reflecting same has been filed with the Court, and

6. That the Court has examined the proof of publication made by the Clerk of the Court, Nancy Johnson and finds said notice clearly describes the lands to be affected and fixed the time and place of the hearing, said proof of publication of said notice being filed with the Court herein; that this is the place and date set for all protestants to the formation of the District to be heard; and that there were no protestants to the formation of the District before the bar of this Court, and

7. Proof was made by William Malone that a majority of said owners of real property have signed the petition; and

8. Proof was made by William Malone that the owners of a majority of the acreage of the said real property within the District have signed the Petition, and

9. Proof was made by William Malone that said Petition was signed by owners of a majority in value of the said real property within the District, and

10. That all the requirements of A.C.A. §14-92-201, *et seq* have been met in accordance with law, and

The Court further finds that the lands included within the District are all located in Garland County, Arkansas and outside of the corporate limits of the City of Hot Springs, Arkansas, a City of First Class, in the State of Arkansas, having a population of over 10,000 and under 40,000 according to the 2000 Federal Census.

The Court further finds that the certificate was based upon an examination by William Malone of the last assessment of record in the Offices of the County Assessor and the ownerships as shown by the last deeds of record in the Offices of the Circuit Clerk, both of Garland County, Arkansas.

The Court further finds that the Petition is signed by owners of a majority in value of the said real property within the District, owners of a majority of the acreage of the said real property within the District and a majority of the owners of the said real property within the District as described in the Petition; that all the lands described in the Petition are situated in Garland County, Arkansas but outside the City Limits of the City of Hot Springs, Arkansas; that the purpose for the organization of the District as set out in the Petition is a proper purpose under the Statutes authorizing the creation of the District; that the persons elected by the Petitioners to serve as Commissioners for the District are owners of real property in said District.

**THE COURT DOES, THEREFORE, ORDER, ADJUDGE AND DECREE** that the following territory, to-wit:

*The following described property situated in Garland County, Arkansas:*

Beginning at a point on the North r/w line of Spring St. at the intersection of said r/w line with the East line of Section 6, T-3-S, R-18-W Garland County, Arkansas; Then South along said East section line a distance of 345 feet, more or less, to the Southeast corner of Lot No.60 of Joe B. Teague

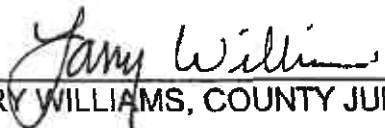
Subdivision, of Garland County Arkansas; Then South 86° 45' West a distance of 487 feet more or less, to the South West corner of Lot No.18 of said Teague Subdivision; Then North 23° 18' West a distance of 677.3 feet to the North West corner of Lot No.5 of said Teague Subdivision; Then North 85° 39' 26" West a distance of 1174 feet; Then North 2°45' East a distance of 544.6 feet, more or less, to a point that is 210 feet South of the South r/w of Spring St; Then Westerly along a line parallel to and 210 feet South of said South r/w line a distance of 3053 feet, more or less, to a point that is 210 feet East of the Easterly r/w of Westinghouse Dr; Then Southerly along a line that is 210 feet East and parallel to the said Easterly r/w a distance of 1603 feet to an intersection point of the North line of Mountain View Subdivision; Then South 84° 31' 33" East along said North line, a distance of 1370 feet; Then South 6° 33' 26" West 548 feet to a point; Then North 86° West, 210 feet, more or less, to a point on the East line of said Mountain View Subdivision; Then South 6°33' West along said East subdivision line a distance of 730 feet, more or less, to the Southeast corner of said subdivision; Then North 83°43' West along the Southerly line of said subdivision a distance of 1100 feet, more or less, to a point that is 210 feet East of the Easterly r/w of Westinghouse Dr; Then Southerly, parallel with said Easterly r/w a distance of 333 feet; Then North 85° 9' 36" West 470 feet, more or less, to a point that is 210 feet West of the Westerly r/w of Westinghouse Dr; Then Northerly along a line that is 210 feet West and parallel with the Westerly r/w of Westinghouse Dr a distance of 3395 feet, more or less, to a point on the South r/w of Spring St; Then Easterly, along the Southerly r/w of Spring St. a distance of 1200 feet to a point; Then North a distance of 260 feet, more or less, to a point that is 210 feet North of the Northerly r/w of Spring St; Then Easterly along a line that is 210 feet North and parallel to the North r/w of Spring St. a distance of 2888 feet, more or less, to a point that is 210 feet West of the West r/w of Teague St; Then Northerly along a line of 210 feet West of and parallel to the Westerly r/w of Teague St. a distance of 450 feet; Then East 460 feet, more or less, to a point that is 210 feet East of the Easterly r/w to Teague St; Then Southerly along a line that is 210 feet East and parallel to the Easterly r/w of Teague St. 655 feet, more or less, to a point that is 210 feet North of the North r/w of Spring St; Then Easterly and Southerly along a line that is 210 feet North of and parallel to the North r/w line of Spring St. a distance of 1222 feet, more or less, to a point on the East line of Section 6, T-3-S, R-18-W; Then South along East section line to the North r/w of Spring St. and the point of beginning.

all of which property is located in Garland County, Arkansas, be and the same is hereby laid off and established as a Water Improvement District under the authority of Act 41 of the General Assembly of the State of Arkansas for the year 1941, as amended, and that said District be and the same is hereby established for the purpose of constructing a complete water distribution system in the Mountain View Subdivision and Joe B. teague Subdivision area of Garland County, Arkansas; and the Commissioners are hereby authorized to extend the said sewer lines beyond the limits of the said District where deemed necessary for the benefit of the District and to execute Contracts for the construction of the said sewer improvements as they may deem best; all the work to be done in the manner and of the materials the Commissioners of the District deem for the

ORDER ESTABLISHING DISTRICT  
MORNING STAR WID #58  
PAGE 6

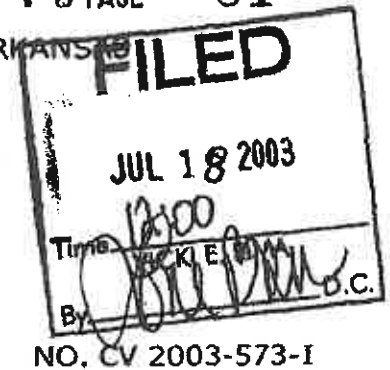
best interest thereof; that said District shall be known as MORNING STAR WATER  
IMPROVEMENT DISTRICT NO. 58 OF GARLAND COUNTY, ARKANSAS, and that the  
following are hereby appointed the Commissioners for said District: Position 1 - Jerry  
Davis; Position 2 - Pam White; Position 3 - Lonnie Harris; Position 4 - Laverne <sup>Guerin</sup> ~~Guerin~~-  
Black; Position 5 - Dennis Fason; Position 6 - Bruce Stearns; and Position 7 - Mary Davis.

IT IS SO ORDERED.

  
LARRY WILLIAMS, COUNTY JUDGE

DATE: 7/29/02

IN THE CIRCUIT COURT OF GARLAND COUNTY, ARKANSAS



IN THE MATTER OF THE PETITION FOR  
THE FORMATION OF JACK MOUNTAIN WATER  
IMPROVEMENT DISTRICT OF GARLAND  
AND HOT SPRING COUNTIES, ARKANSAS

**ORDER ESTABLISHING JACK MOUNTAIN WATER IMPROVEMENT  
DISTRICT OF HOT SPRING COUNTY, ARKANSAS  
AND GARLAND COUNTY, ARKANSAS**

On the 7<sup>th</sup> day of July, 2003 this matter came on for hearing on the Petition of certain property owners for the formation of a Water Improvement District with attorney Ray Owen, Jr. for and on behalf of all the signers of the petition for the district and with some protestants appearing. From documentary evidence presented, testimony taken and other matters and proof before the Court, the Court doth find and order as follows:

1. Prior to filing of the Petition in multiple copies for the formation of the Improvement District, each owner of real property within the boundaries of the proposed District was notified by Certified Mail of the Intent to form the proposed District and given notice of public hearing, said notice also was published in the Hot Springs Sentinel-Record and in the Malvern Daily Record on May 9, 2003 and May 16, 2003 and said public hearing was held on May 27, 2003, and

2. That Ed Foshee, Justice of the Peace of the majority of the area within the District, chaired the public meeting and conducted the election of the seven (7) Commissioners, in accordance ARK. CODE ANN. §14-92-201, et seq, and

3. That Vicki Rima, Clerk of the Circuit Court of Garland County, Arkansas, gave notice of the filing thereof, describing the territory to be included and calling upon all persons who wished to be heard on the question of establishment of the District to appear before the court on the day fixed in the notice, namely July 7, 2003 at 2:30 p.m., in the Circuit Court of Garland County, Arkansas, and

4. Prior to this hearing each owner of real property within the boundaries of the proposed district was notified by certified mail, return receipt requested of the time and location of this hearing and said Notice of Hearing also was published in the Hot Springs Sentinel-Record and the Malvern Daily Record on June 21 and June 28, 2003, and

5. That Petition for formation of the District was filed with the Clerk of the Circuit Court of Garland County, Arkansas on June 11, 2003, and

6. That the Court has examined the proof of publication made by the Clerk of the Court, Vicki Rima and finds said notice clearly describes the lands to be affected and fixed the time and place of the hearing, said proof of publication of said notice being filed with the Court herein; that this is the place and date set for all protestants to the formation of the District to be heard; and that there were some protestants to the formation of the District before the bar of this Court, and

7. Proof was made by Jennifer Campbell, an Abstractor with the office of the Garland County Assessor, as to the number of property owners within the boundaries of the District and that a majority of said owners of real property have signed the petition; and

8. Proof was made by Jennifer Campbell, an Abstractor with the office of the Garland County Assessor, as to the number of acres situated within the boundaries of the District and that the owners of a majority of the acreage of the said real property within the District have signed the Petition, and

9. Proof was made by Jennifer Campbell, an Abstractor with the office of the Garland County Assessor, as to the assessed value of the real property situated within the boundaries of the District and that said Petition was signed by owners of a majority in value of the said real property within the District, and

10. That all the requirements of ARK. CODE ANN. §14-92-201, *et seq* have been met in accordance with law, and

The Court further finds from the proof offered by Jennifer Campbell that the total assessed value of the real property in the territory included in the District is \$636,465.00 and that the signers of the Petition are the owners of property within the District of an assessed value of \$460,717.50, constituting 72.39% of the assessed value of the said real property within the District; that the total land area included in the District is 429.19 acres and that the signers of the Petition are the owners of 288.965 acres of land within the District, constituting 67.33% of the land area located within the District and that there are a total of 120 owners of land within the District and that 75 owners of land within the District signed the Petition, constituting 62.50% of the owners of the real property within the District.

The Court further finds that the lands included within the District are all located in Garland County, Arkansas and Hot Spring County, Arkansas and outside the corporate limits of any municipality.

The Court further finds that the certificates were based upon an examination by Jennifer Campbell of the last assessment of record in the Offices of the County Assessor and the ownerships as shown by the last deeds of record in the Offices of the Circuit Clerk, both of Garland County, Arkansas and Hot Springs County, Arkansas.

The Court further finds that the Petition is signed by owners of a majority in value of the said real property within the District, owners of a majority of the acreage of the said real property within the District and a majority of the owners of the said real property within the District as described in the Petition; that all the lands described in the Petition are situated within five miles of the City Limits of the City of Hot Springs, Arkansas; that the purpose for the organization of the District as set out in the Petition is a proper purpose under the Statutes authorizing the creation of the District; that the persons elected by the Petitioners to serve as Commissioners for the District are owners of real property in said District.



THE COURT DOES, THEREFORE, ORDER, ADJUDGE AND DECREE that the following territory, to-wit:

Section 7, Township 4 South, Range 19 West

The SE $\frac{1}{4}$ ; All lands in the SE $\frac{1}{4}$ -SW $\frac{1}{4}$ , except the SW $\frac{1}{4}$  of the SE $\frac{1}{4}$ -SW $\frac{1}{4}$ ; The area within 440 feet of the East side of the South side of the NE $\frac{1}{4}$ -SW $\frac{1}{4}$ ; All lands in the SE $\frac{1}{4}$ -SW $\frac{1}{4}$  that lie within 210 feet of Arkansas Highway 290; All lands in the W $\frac{1}{2}$ -SW $\frac{1}{4}$  that lie within 210 feet of Lee Warren Lane;

Section 8, Township 4 South, Range 19 West

All lands in the SW $\frac{1}{4}$ -SW $\frac{1}{4}$  except the SE $\frac{1}{4}$  of said SW $\frac{1}{4}$ -SW $\frac{1}{4}$ ; All lands in the SE $\frac{1}{4}$ -SW $\frac{1}{4}$  that lie North of Arkansas Highway 128, and all lands South of Arkansas Highway 128 within 420 feet of said Highway 128; and all lands in the SW $\frac{1}{4}$ -SE $\frac{1}{4}$  that lie North of Arkansas Highway 128, and all lands South of Arkansas Highway 128 that are within 420 feet of said highway; All lands in the SE $\frac{1}{4}$ -SE $\frac{1}{4}$  that lie within 420 feet of Arkansas Highway 128 or within 210 feet of Sundown Mountain Road; The SE $\frac{1}{4}$  of the SW $\frac{1}{4}$ -SE $\frac{1}{4}$ ; All lands in the SW $\frac{1}{4}$ -NE $\frac{1}{4}$ -SE $\frac{1}{4}$  that lie south of Mount Carmel Creek;

Section 9, Township 4 South, Range 19 West

All land lying within 210 feet of Sundown Mountain Road in the S $\frac{1}{4}$ ;

Section 12, Township 4 South, Range 19 West

All lands lying within 210 feet of Lee Warren Lane within the E $\frac{1}{2}$  of SE $\frac{1}{4}$ -SE $\frac{1}{4}$

Section 18, Township 4 South, Range 19 West

The N $\frac{1}{2}$  of the NE $\frac{1}{4}$ -NE $\frac{1}{4}$ ; All lands in the NW $\frac{1}{4}$ -NE $\frac{1}{4}$  that lie within 210 feet of Meadow Lark Trail of Little Hollow Trail.

all of which property is located in Garland County, Arkansas and Hot Spring County, Arkansas, be and the same is hereby laid off and established as a Water Improvement District Under the authority of Act 41 of the General Assembly of the State of Arkansas for the year 1941, as amended, and the said District be and the same is hereby established for the purpose of constructing a complete water distribution system in the Jack Mountain Road area of Garland County, Arkansas and Hot Spring County, Arkansas; and the Commissioners are hereby authorized to extend the said water lines beyond the limits of the said District where deemed necessary for the benefit of the District and to execute Contracts for the construction of the said water improvements as they may deem best; all the work to be done in the manner and of the materials the

Commissioners of the District deem for the best interest thereof; that said District shall be known as JACK MOUNTAIN WATER IMPROVEMENT DISTRICT OF GARLAND COUNTY AND HOT SPRING COUNTY, ARKANSAS, NO. 301 and that the following are hereby appointed the Commissioners for said District: Position 1 - C. David Ross, Position 2 - Lew Wentz Akard, Jr., Position 3 - Ronald Long, Position 4 - Dennis M. Fletcher, Position 5 - Edward E. Gnau, Position 6 - Gregori Paul Bishop and Position 7 - Eugene Sparling.

  
JOHN H. WRIGHT, CIRCUIT JUDGE

DATE: 7/17/2003