

**RESOLUTION R-2017-01**

**A RESOLUTION AUTHORIZING AND APPROVING AMENDMENT NO. 3 TO THE AGREEMENT BETWEEN MID-ARKANSAS UTILITIES PUBLIC WATER AUTHORITY, AND THE MID-ARKANSAS WATER ALLIANCE.**

WHEREAS, the City of Ward, Arkansas (the "City") operates a water system which serves a part of Lonoke County in Arkansas and its inhabitants; and

WHEREAS, on September 10, 2009, an agreement (the "Allocation Agreement") was entered into by and among the Mid-Arkansas Water Alliance, a nonprofit corporation organized and existing under the laws of the State of Arkansas ("MAWA"), the City of Cabot by and through the Cabot Water and Wastewater Commission, Arkansas, Conway Corporation, Conway County Regional Water Distribution District, Community Water System, the City of Lonoke, Arkansas, Grand Prairie Bayou Two Public Facilities Board of Lonoke County, Arkansas, the City of Ward, Arkansas, North Pulaski Waterworks Association, the City of Jacksonville, Arkansas, and Central Arkansas Water (collectively, the "Members"); and

WHEREAS, the Allocation Agreement assigns the Members' individual shares of the 2.476 percent joint-use storage space in Greers Ferry Lake (the "Storage Allocation") pursuant to a Water Storage Agreement (the "Water Storage Agreement") between MAWA and the United States of America; and

WHEREAS, the execution, delivery and performance of the Allocation Agreement by the City has been duly and effectively authorized by the City; and

WHEREAS, it has been determined that it is in the best interest of the City that the City approve entering into a third amendment to the Allocation Agreement ("Amendment No. 3 to the Allocation Agreement") with the Members of MAWA, authorizing the change in the legal status of the North Pulaski Waterworks Public Facilities Board, a public facilities board created pursuant to Arkansas Code Annotated § 14-137-101 *et seq.*, to the Mid-Arkansas Utilities Public Water Authority of the State of Arkansas, a public water authority created pursuant to Arkansas Code Annotated § 4-35-201 *et seq.*, and the assignment of the North Pulaski Waterworks Public Facilities Board's 0.80724 Membership Share to the Mid-Arkansas Utilities Public Water Authority of the State of Arkansas.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Ward, Arkansas:

Section 1. Amendment No. 3 to the Allocation Agreement, in substantially the form presented at the meeting at which this Resolution is addressed, is hereby approved, and Art Brooke, the Mayor of the City of Ward, Arkansas, is authorized to execute Amendment No. 3 to the Allocation Agreement on behalf of the City of Ward, Arkansas.

Section 2. (a) The Mayor of the City of Ward, Arkansas, is authorized to execute such writings and take such action as may be appropriate to carry out the terms of this Resolution.

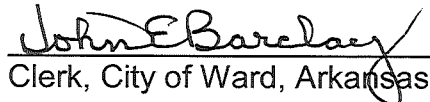
(b) Action heretofore taken by the Mayor, and consistent with the purposes of this Resolution, including execution of Amendment No. 3 to the Allocation Agreement, is hereby ratified.

ADOPTED this 9<sup>th</sup> day of January, 2017.



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Art Brooke  
Mayor, City of Ward, Arkansas

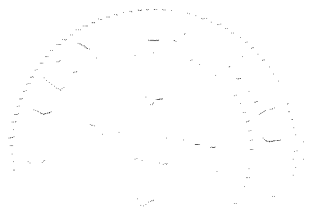
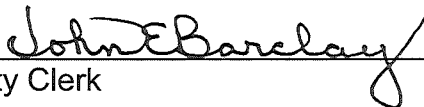
ATTEST:

  
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Clerk, City of Ward, Arkansas

#### CERTIFICATE

The undersigned, City Clerk of the City of Ward, Arkansas, hereby certifies that the foregoing pages are a true and perfect copy of a Resolution, adopted at a regular council meeting of the City of Ward, Arkansas, held at the regular meeting place at 6:30 p.m., on the 9<sup>th</sup> day of January, 2017, and that the Resolution is of record in the offices of the City.

GIVEN under my hand and seal on this 9<sup>th</sup> day of January, 2017.

  
  
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City Clerk