

12/15/22  
Passed  
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DESHA COUNTY  
Ordinance No. 2022-22

AN ORDINANCE AUTHORIZING THE FORMATION OF A REGIONAL INTERMODAL  
TRANSPORTATION AUTHORITY; AUTHORIZING AN AGREEMENT BETWEEN  
CHICOT AND DESHA COUNTIES AND AUTHORIZING AND  
PRESCRIBING OTHER MATTERS PERTAINING THERETO

WHEREAS, Desha County, Arkansas (the "County") is authorized and empowered under the provisions of Title 14, Chapter 143 of the Arkansas Code of 1987 Annotated (the "Act"), to join with one or more municipalities and/or one or more contiguous counties, for the purpose of forming a regional intermodal transportation authority; and

WHEREAS, it is proposed that the County join with Chicot County to form a regional intermodal transportation authority under the Act for the purpose of acquiring, equipping, constructing, maintaining and operating regional intermodal facilities and such other facilities as authorized by the Act, as now or hereafter amended and

WHEREAS, an Agreement for the formation of such an authority has been prepared, a copy of which has been presented to and is before this meeting;

NOW, THEREFORE, BE IT ORDAINED BY THE QUORUM COURT OF  
DESHA COUNTY, ARKANSAS:

SECTION 1: (a) The Quorum Court hereby finds and determines that it is in the best interest of the County to join with Chicot County in the formation of a regional intermodal transportation authority for the purpose of acquiring, equipping, constructing, maintaining and operating regional intermodal facilities and such other facilities as authorized by the act, as now or hereafter amended.

(b) The Agreement for the formation of the authority provides that the authority to be created shall have no independent right or power to levy taxes to fund its operations or to pay its debts except taxes levied upon and collected from shippers, transporters or users loading or unloading freight, commerce or passengers at a terminal or other facilities of the authority.

(c) The Agreement for the formation of the authority provides that the obligations of the authority to be created shall be payable from and secured by revenues, property and other resources of the authority and shall not constitute a general or limited obligation of the counties participating.

SECTION 2: The formation of a regional intermodal transportation authority pursuant to the act, to be known as the "Chicot Desha Intermodal Authority" (the "Authority"), and the County's participation in the same, are hereby authorized.

SECTION 3: There is hereby authorized the execution and delivery of the attached Agreement by and between the County and Chicot County (the "Agreement"),

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and the County Judge and County Clerk are hereby authorized to execute and deliver the attached Agreement for an on behalf of the County. The attached Agreement is hereby approved, and the County Judge is hereby authorized to execute the attached Agreement.

SECTION 4: The County Judge and County Clerk, for and on behalf of the County, are hereby authorized to execute and directed to do any and all things necessary to effect the execution and delivery of the attached Agreement, and the performance of all acts of whatever nature necessary to effect and carry out the authority conferred by this Ordinance. The County Judge and County Clerk are hereby further authorized and directed, for and on behalf of the County, to execute all papers, documents, certificates and other instruments that may be required for the carrying out of such authority or to evidence the exercise thereof.

SECTION 5: The County Clerk is hereby authorized and directed to file in the office of the County Clerk as a part of the minutes of the meeting at which this Ordinance is adopted, for inspection by any interested person a copy of this Agreement, and such document shall be on file for inspection by an interested person.

SECTION 6: The provisions of this Ordinance are hereby declared to be separable and if any section, phrase or provision shall for any reason be declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases and provisions.

Passed and approved this 15<sup>th</sup> day of December, 20 22.

[Signature]  
COUNTY JUDGE

ATTEST:

[Signature]  
COUNTY CLERK

12-20-22  
**RECORD**  
Valerie Donaldson, Desha County Clerk

[Signature]  
By: [Signature] Deputy

12-20-22  
**FILED**  
Valerie Donaldson, Desha County Clerk  
[Signature]  
By: [Signature] Deputy