

ORDINANCE NO. 0-09-11

AN ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN TERRITORY, GENERALLY DESCRIBED AS PART OF THE SW¼ OF SECTION 6 AND THE NW¼ AND NE¼ OF SECTION 7, ALL IN TOWNSHIP 7 SOUTH, RANGE 19 WEST, TO THE CITY OF ARKADELPHIA, ARKANSAS, AND MAKING THE SAME A PART OF THE CITY OF ARKADELPHIA, AND ASSIGNING SAME TO WARDS, AND DECLARING AN EMERGENCY, AND FOR OTHER PURPOSES.

WHEREAS, petition was filed with the County Clerk of Clark County, Arkansas, by the majority of the real estate owners of the hereinafter described territory praying that said territory be annexed to, and made a part of the City of Arkadelphia, Arkansas; and,

WHEREAS, on October 22, 2009, the County Court of Clark County, Arkansas, found that the petition was signed by a majority of the real estate owners in said territory; that said territory was contiguous and adjoining the present corporate limits of the City of Arkadelphia, Arkansas; that an accurate plat or map of said territory had been filed with and made a part of said petition; that proper notice had been given for the time and in the manner prescribed by law, and that all things pertaining thereto had been done in the manner prescribed by law, and that said lands and territory should be annexed to and made a part of the City of Arkadelphia, Arkansas, subject to the acceptance of same by the City Board of said City at the proper time, as provided by law; and

WHEREAS, the time fixed by law for appealing from said order of annexation made by the County Court has expired and no appeal has been taken from said order.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY BOARD OF DIRECTORS OF THE CITY OF ARKADELPHIA, ARKANSAS:

**SECTION 1.** That the following described lands and territory contiguous and adjoining the City of Arkadelphia, Arkansas, be and the same is hereby accepted as part of and annexed to and made a part of the City of Arkadelphia, Arkansas.

**Tract 1 – Sarah S. Thompson Revocable Trust**

ALL THAT PART OF THE SE¼ NW¼ OF SECTION 7, TOWNSHIP 7 SOUTH, RANGE 19 WEST LYING EAST OF THE INTERSTATE 30 RIGHT OF WAY. BEING 34 ACRES MORE OR LESS.

That the above-described territory should be and is hereby zoned Medium Density Residential District (R-2) and the zoning map of the City of Arkadelphia, Arkansas is hereby amended to show said classification.

**SECTION 2.** That the following described lands and territory contiguous and adjoining the City of Arkadelphia, Arkansas, be and the same is hereby accepted as part of and annexed to and made a part of the City of Arkadelphia, Arkansas.

**Tract 2 – W. H. Phillips and Carol B. Phillips**

PART OF THE E $\frac{1}{2}$  E $\frac{1}{2}$  SW $\frac{1}{4}$  IN SECTION 7 TOWNSHIP 7 SOUTH AND RANGE 19 WEST DESCRIBED AS BEGINNING AT THE NE CORNER OF SAID E $\frac{1}{2}$  E $\frac{1}{2}$  SW $\frac{1}{4}$  AND RUN THENCE S.84°39'W. ALONG OLD FENCE LINE 678 FEET; THENCE SOUTH 132 FEET; THENCE N.84°39'E 678 FEET; THENCE NORTH 132 FEET TO THE POINT OF BEGINNING. THIS PARCEL OF LAND HAS AN AREA OF 2.05 ACRES.

That the above-described territory should be and is hereby zoned Office Commercial District (C-4) and the zoning map of the City of Arkadelphia, Arkansas is hereby amended to show said classification.

**SECTION 3.** That the following described lands and territory contiguous and adjoining the City of Arkadelphia, Arkansas, be and the same is hereby accepted as part of and annexed to and made a part of the City of Arkadelphia, Arkansas.

**Tract 3 – City of Arkadelphia, Arkansas**

A PARCEL OF LAND BEING LOCATED IN THE E/2 SW/4 OF SECTION 6 AND THE NE/4 NW/4 AND NW/4 NE/4 OF SECTION 7 ALL IN T7S, R19W, CLARK COUNTY, ARKANSAS, AND BEING DESCRIBED AS FOLLOWS: BEGIN AT THE NORTHEAST CORNER OF SAID NE/4 NW/4, THE POINT OF BEGINNING; THENCE SOUTH 89°58'27" EAST ALONG THE NORTH LINE OF SAID NW/4 NE/4 OF SECTION 7, A DISTANCE OF 220.00 FEET; THENCE SOUTH 00°36'44" WEST, A DISTANCE OF 1313.45 FEET TO THE SOUTH LINE OF SAID NW/4 NE/4 OF SECTION 7; THENCE NORTH 89°41'31" WEST, A DISTANCE OF 220.00 FEET TO THE SOUTHWEST CORNER OF SAID NW/4 NE/4 OF SECTION 7; THENCE NORTH 89°43'58" WEST ALONG THE SOUTH LINE OF SAID NE/4 NW/4 OF SECTION 7, A DISTANCE OF 1030.44 FEET TO THE EASTERN RIGHT OF WAY LINE OF INTERSTATE #30; THENCE NORTH 07°39'49" EAST ALONG SAID INTERSTATE #30 RIGHT OF WAY, A DISTANCE OF 1319.66 FEET TO THE NORTH LINE OF SAID NE/4 NW/4; THENCE NORTH 07°39'49" EAST ALONG SAID INTERSTATE #30 RIGHT OF WAY, A DISTANCE OF 2692.02 FEET TO THE NORTH LINE OF SAID E/2 SW/4; THENCE SOUTH 89°30'35" EAST, A DISTANCE OF 553.18 FEET TO THE NORTHEAST CORNER OF SAID E/2 SW/4; THENCE SOUTH 00°56'22" WEST, A DISTANCE OF 2663.99 FEET TO THE POINT OF BEGINNING. CONTAINING 78.70 ACRES, MORE OR LESS.

**SECTION 4.** That the above-described territories shall be annexed to and made a part of Ward 5 of the City of Arkadelphia, and the same shall henceforth be a part of said ward as fully as existing parts of said ward.

**SECTION 5.** Necessary urban services, such as police and fire protection will be immediately provided. Water and sewer are available within a reasonable distance.

**SECTION 6. EMERGENCY CLAUSE. It is found and determined that necessary urban services are needed immediately. Therefore, an emergency is declared to exist and the adoption of this ordinance is immediately necessary for the preservation of the public peace, health, and safety. It shall become effective immediately upon passage.**

Passed and approved this 17<sup>th</sup> day of December, 2009

APPROVED: \_\_\_\_\_  
C.T. Hollingshead, Mayor

ATTEST: \_\_\_\_\_  
Rendi Currey, City Clerk