

ORDINANCE NO. B-396

"AN ORDINANCE ESTABLISHING SEWER
IMPROVEMENT DISTRICT NO. 1 OF THE CITY
OF ARKADELPHIA, ARKANSAS

WHEREAS, the parties claiming to be the owners of a majority in assessed value of the property located within the territory hereinafter described have filed a petition praying that an improvement district be established for the purpose hereinafter set out; and

WHEREAS, after due notice as required by law, the Board of Directors of the City of Arkadelphia, Arkansas has heard all parties desiring to be heard, and has ascertained that said petition was signed by a majority in assessed value, as shown upon the last county assessment, of the owners of real property within said territory;

NOW, THEREFORE, BE IT ORDAINED by the Board of Directors of the City of Arkadelphia, Arkansas;

Section 1. There is hereby established an improvement district embracing the following described property located in the City of Arkadelphia, Clark County, Arkansas, lying in Township 7 South, Range 19 West, to wit:

All that part of the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 5 lying West of U.S. Highway 67, containing 12 acres more or less; the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 5, containing 40 acres, more or less; the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 5, containing 40 acres, more or less; part S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ S $\frac{1}{2}$, Section 6, described as beginning at the SE corner of said SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ and run thence West 525 feet; thence North 210 feet; thence East 525 feet; thence South 210 feet to the point of beginning, containing 2.5 acres, more or less; part N $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 6, described as beginning at the NE corner of said NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ and run thence West 525 feet; thence South 210 feet; thence East 525 feet; thence North 210 feet to the point of beginning, containing 2.5 acres, more or less; part E $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 6, described as beginning at the SE corner of said SE $\frac{1}{4}$ NE $\frac{1}{4}$ and run thence West 525 feet; thence North 1320 feet; thence East 525 feet; thence South 1320 feet to the point of beginning, containing 15.8 acres, more or less; the N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 6, containing 20 acres, more or less; the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 7, containing 40 acres, more or less; the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 8, containing 40 acres, more or less; the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 8, containing 40 acres, more or less; and all that part of the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 8, lying West of the centerline of the public road (Friendship Drive), containing 9 acres, more or less, all in Township 7 South, Range 19 West, Clark County, Arkansas.

ALSO, all of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 8, Township 7 South, Range 19 West lying East of the centerline of Friendship Drive and West of the centerline of U.S. Highway 67 as the same is now located, LESS AND EXCEPT:

That part of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 8, Township 7 South, Range 19 West lying West of U.S. Highway 67 as the same is now located, described as beginning at the SE corner of said SW $\frac{1}{4}$ NW $\frac{1}{4}$ and run West 660 feet to fence corner; thence run North along fence 330 feet to fence corner; thence East along fence to West right-of-way line of U.S. Highway 67; thence Southeasterly along said right-of-way to intersection with East line of SW $\frac{1}{4}$ NW $\frac{1}{4}$; thence South to point of beginning and containing 4.4 acres, more or less.

ALSO, all of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8, Township 7 South, Range 19 West lying East of the centerline of Friendship Drive and North of the centerline of the County Road, LESS AND EXCEPT:

All that part of the East 974 feet of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said section lying North and East of the centerline of the County Road and containing 8.678 acres, more or less.

ALSO, that part of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8, Township 7 South, Range 19 West, lying North of the centerline of the County Road and West of the centerline of Friendship Drive and within the city limits of Arkadelphia, Arkansas.

ALSO, all that part of the North Half of South Half of the Northwest Quarter of Section 8, Township 7 South, Range 19 West, lying North and East of the centerline of U. S. Highway 67, and containing 30.13 acres, more or less; LESS AND EXCEPT:

The following described land deeded to William Howard Arnold as recorded in Deed Records Book 331, Page 177, and filed September 2, 1975, at 8:30 A.M.: Beginning at the Northeast corner of Southeast Quarter Northwest Quarter, Section 8, Township 7 South, Range 19 West, Clark County, Arkansas; thence South 3 degrees 28 minutes, 41 seconds West, 682.38 feet; thence North 86 degrees 36 minutes, 35 seconds West, 1141.14 feet; thence North 6 degrees, 9 minutes, 28 seconds East, 679.01 feet; thence South 86 degrees, 49 minutes, 29 seconds East, 1109.41 feet to the point of beginning and containing 17.573 acres, more or less.

Leaving in the aggregate 12.56 acres, more or less.

for the purpose of constructing main trunk lines, lift stations, force mains, and interceptors so as to make future sewer service available within a reasonable distance to each parcel of real property in the District (not to include immediate service connection of individual houses or other improvements on the real property in the District) and to connect the proposed improvements with the Sewer system of the City of Arkadelphia, Arkansas, in the manner and of the materials that the Commissioners for the District, to be hereafter appointed, shall deem for the best interest of the District. The Commissioners may provide for such incidental work as is necessary and for the proper completion of the improvements embodied in the above authorized purposes. The Commissioners are authorized to enter into an agreement with the City to cause the District's sewer improvements to be connected and become a part of the sewer facilities of the City; provided, however, such authorization shall not be construed to mean that the City has agreed to connect the sewer improvements with the sewer facilities of the City. The benefits to be derived from the improvements embodied in the above authorized purposes shall be assessed upon the real property in the District.

Said municipal improvement district shall be known as Sewer Improvement District No. 1 of the City of Arkadelphia, Arkansas; and Earl Van Rensselaer, Bud Reeder, and Flave J. Carpenter are hereby named Commissioners, who shall compose the Board of Improvement for said district.

Section 2. That the provisions of this Ordinance are hereby declared to be separable, and if any provision shall for any reason be held illegal or invalid, it shall not affect the validity of the remainder of the Ordinance.

Section 3. That all ordinances and resolutions and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Section 4. This ordinance being necessary for the public health, safety and welfare shall take effect and be in force from and after its passage and approval.

Adopted this 4th day of June, 1981.

Steve Calloway
Mayor

ATTEST:

Walter H. Johnson
City Clerk

(SEAL)

CERTIFICATE

The undersigned, City Clerk of the City of Arkadelphia, Arkansas, hereby certify that the foregoing pages, numbered from 1 to 4, inclusive, are a true and perfect copy of Ordinance No. B-396, adopted at a regular session of the Board of Directors of the City of Arkadelphia, Arkansas, held at the regular meeting place in said City at 7:30 o'clock p. m. on the 4th day of June, 1981, and that Ordinance is of record in Ordinance Record Book No. I, Page 172, now in my possession.

GIVEN under my hand and seal on this 4th day of June, 1981.

Judy Beth Hutchinson
City Clerk

(Seal)