

97-1615

ORDINANCE NO. 097-41

AN ORDINANCE ANNEXING CERTAIN TERRITORY TO THE CITY OF CONWAY, ARKANSAS; AND FOR OTHER PURPOSES.

WHEREAS, on the 26th day of August, 1997, at 10:00 a.m., there was presented to the County Court of Faulkner County, Arkansas, a proper petition asking that certain real estate adjacent and contiguous to the City of Conway, Arkansas, be annexed to the City of Conway, Arkansas. The real estate is described as follows:

TRACT NO. ONE: Part of Section 25, T5N, R14W, Faulkner County, Arkansas and described as follows:

Part. of the NE 1/4, NW 1/4, more particularly described as follows: Beginning at a point which is 900 feet South of the NE corner of said NW 1/4, thence West 150 feet; thence South to the South line of said NE 1/4, NW 1/4; thence East along said South line 150 feet to the SE corner of said NE 1/4, NW 1/4; thence North along the East line of said NE 1/4, NW 1/4, to the point of beginning.

AND:: Part of the NW 1/4, NE 1/4, more particularly described as follows: Beginning at a point on the West line of said NW 1/4, NE 1/4 which is 350 feet South of the NW corner of said NE 1/4; thence East 150 feet; thence South to the South line of said NW 1/4, NE 1/4; thence West along said South line 150 feet to the SW corner of said NW 1/4, NE 1/4; thence North along said West: line to the point of beginning.

AND,: Part of the SW 1/4, NE 1/4, more particularly described as follows: Begin at the NW corner of said SW 1/4 NE 1/4, thence East 100 feet; thence South 294 feet; thence East 197 feet; thence South 594 feet; thence West

197 feet; thence South to the South line of said SW 1/4, NE 1/4; thence West along said South line to the SW corner of said SW 1/4, NE 1/4; thence North along the West line of said NE 1/4 to the point of beginning.

AND; Part of the NW 1/4, more particularly described as follows: Begin at a point on the SW corner of the SW 1/4, NW 1/4; thence, N 1°37'10" E 780.41 feet; thence, 330.30 feet in a northward direction to a point on the West line of said SW 1/4, NW 1/4, said point being 214.12 feet south of the SW corner of the NW 1/4, NW 1/4 of said Section 25; thence, S 85°20'32" E 271.63 feet; thence N, 0°05'57" W 501.85 feet; thence, N 89°38'40" E 253.0 feet; thence, S 0°22'16" E 264.0 feet to a point on the North line of said SW 1/4, NW 1/4; thence, N 89°38'40" E along the North line of said SW 1/4, NW 1/4 2062.34 feet to the NE corner of the SE 1/4, NW 1/4 of said Section 25; thence, S 0°23'00" E 568.0 feet; thence, S 89°38'48" W 1296.31 feet; thence S 0°01'24" W approximately 773 feet to the SE corner of said SW 1/4, NW 1/4; thence S 89°30'34" W along the South line of said SW 1/4, NW 1/4 229.31 feet; thence, N 0°01'20" E 1014.22 feet; thence N 85°20'51" W 213.69 feet; thence S 0°01'20" W 1033.38 feet; thence S 89°30'34" W 860.05 feet to the point of beginning.

AND; the East 150 feet of the South 749.88 of the SE 1/4, NW 1/4;

AND; the West ½, SE 1/4; **LESS AND EXCEPT** the following four tracts:

TRACT "A": Part of the West ½ SE 1/4 of Section 25, T-5-N, R-14-W, more particularly described as follows: Begin at the NW corner of said West ½, SE 1/4, and run thence South 165 feet, thence East 880 feet to the point of beginning: Thence run South 220 feet; thence West 780 feet; thence South 110 feet; thence East 1220 feet; thence North 330 feet; thence West 440 feet to the point of beginning, containing 5.3 acres more or less.

TRACT "B": Part of the West ½ SE 1/4 of Section 25, T-5-

N, R-14-W, more particularly described as follows: Begin at the NW corner of the West $\frac{1}{2}$, SE $\frac{1}{4}$ Section 25, T5N, R-14-W, run thence South 990 feet along the West Section line of the said West $\frac{1}{2}$ SE $\frac{1}{4}$ Section 25, T-5-N, R-14-W; for a point of beginning on the lands hereby conveyed; thence run East to the East line of the West $\frac{1}{2}$ SE $\frac{1}{4}$ Section 25, T-5-N, R-14-W, thence South 247.50 feet; thence West to the West Section line of Section 25, T-5-N, R-14-W, thence North 247.50 feet to the point of beginning, containing 7 $\frac{1}{2}$ acres, more or less;

TRACT "C": Part of the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 25, T5N, R14W, described as follows: Begin at the NW Corner of the said W $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 25, T5N, R14W, and run thence South 495 feet to the point of beginning of the lands being herein described: thence run South 165 feet; thence East 1320 feet, more or less; to the East line of said W $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 25, T5N, R14W, thence North 165 feet; thence West 1320 feet more or less to the point of beginning, containing 5 acres, more or less;

TRACT "D": Part of the W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 25, T5N, R14W, described as follows: Begin at a point 990 feet South of the Northwest corner of said W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 25, T5N, R14W, for the true point of beginning of the lands herein described; run thence North 330 feet, thence East 1320 feet, thence South 330 feet, thence West 1320 feet to the point of beginning, containing 10 acres, more or less.

AND; Part of the SW $\frac{1}{4}$ of Section 25 more particularly described as follows: Beginning at the SE corner of said SW $\frac{1}{4}$; thence West along the South line of said SW $\frac{1}{4}$ 600.0 feet; thence North parallel to the East line of said SW $\frac{1}{4}$ 600.0 feet; thence East 465 feet; thence North parallel to said East line to the South line of the North $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said SW $\frac{1}{4}$; thence East 135 feet to the East line of said SW $\frac{1}{4}$; thence South along said East line to the point of beginning.

AND; Part of the W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 25, T5N, R14W, described as follows: Begin at a point 990 feet South of the Northwest corner of said W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 25, T5N,

R14W, for a true point of beginning of the lands herein described: Run thence North 165 feet, thence East 600 feet, thence South 165 feet thence West 600 feet to the point of beginning, containing 2.27 acres more or less.

TRACT NO. TWO: Part of **Section 36, T5N, R14W**, Faulkner County, Arkansas and described as follows:

The N $\frac{1}{2}$ of the N $\frac{1}{2}$;

AND; Part of the SE $\frac{1}{4}$, NW $\frac{1}{4}$, more particularly described as follows: Begin at the NE corner of said SE $\frac{1}{4}$, NW $\frac{1}{4}$; thence West 190 feet; thence South 480 feet; thence East 40 feet; thence South to a point 150 feet north of the South line of said NW $\frac{1}{4}$; thence East parallel to said South line 150 feet to a point on the East line of said NW $\frac{1}{4}$; thence North to the point of beginning.

AND; the South 150 feet of the NW $\frac{1}{4}$.

AND; Part of the SW $\frac{1}{4}$ more particularly described as follows: Beginning at the NW corner of said SW $\frac{1}{4}$, thence South along the West line of said SW $\frac{1}{4}$ 150 feet; thence East 46 feet; thence parallel to said West line South 317 feet; thence East 420 feet; thence North to the south right-of-way of Mill Pond Road, which is a point 25 feet south of the centerline of said Mill Pond Road; thence East 1225 feet; thence South 320 feet; thence East 620 feet; thence South 220 feet; thence East to the East line of said SW $\frac{1}{4}$; thence North along said East line to the NE corner of said SW $\frac{1}{4}$; thence West along the North line of said SW $\frac{1}{4}$ to the point of beginning.

TRACT NO. THREE: Part of **Section 35, T5N, R14W**, Faulkner County, Arkansas and described as follows: Beginning at the NE corner of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$; thence West 165 feet; thence South 990 feet; thence West 165 feet; thence South approximately 330 feet to the South line of said SE $\frac{1}{4}$, NE $\frac{1}{4}$; thence East 330 feet; thence North

to said NE corner, SE 1/4, NE 1/4, the point of beginning.

AND; the N 1/2 of the SE 1/4;

AND; the West 300 feet of the S 1/2 of the SE 1/4 of Section 35, **LESS AND EXCEPT** two tracts more particularly described as follows:

Tract "A": Beginning at the NW corner of the SW 1/4, SE 1/4, Section 35, go due South 120 feet, thence due East to the center of the county road, thence north along the center of the county road to an existing railroad spike located in the center of the road and on the North line of said SW 1/4, SE 1/4, thence due west on the North line of said SW 1/4, SE 1/4 225.6 feet to the point of beginning, containing 0.62 acres more or less.

Tract "B": Beginning at the SW corner of the SW 1/4, SE 1/4, Section 35, thence N-0-16-57-E along the West line of said SW 1/4, SE 1/4 400.0 feet; thence East 93.32 feet to the West right of way of a road; thence along said right of way to a point S-23-40-25-E 111.41 feet; thence to a point S-15-07-04-E 29.75 feet, thence S-6-33-42-E 67.87 feet; thence S-0-00-14-W 144.9 feet; thence to a point S-2-50-43-W 56.99 feet to the South line of said SW 1/4, SE 1/4, thence leaving said right of way along said South line West 152.7 feet to the point of beginning.

TRACT NO. FOUR: Part of **Section 2, T4N, R14W**, Faulkner County, Arkansas and described as follows:

Part of the NW 1/4, NE 1/4, more particularly described as follows: Beginning at a point 300 feet East of the NW corner of said NE 1/4; thence South 225 feet; thence Southwest at a 45 degree angle intersecting the West line of said NW 1/4, NE 1/4; thence North along said West line to the NW corner of said NE 1/4; thence East 300 feet to the point of beginning.

AND; Part of the SW 1/4, NE 1/4, more particularly described as follows: Beginning at the NW corner of said

SW 1/4, NE 1/4, thence East 450 feet; thence South 100 feet; thence West 450 feet; thence North to the point of beginning.

AND; the East 150 feet of the NE 1/4, NW 1/4.

AND; the S 3/4 of the West 1/2 of Section 2, **Less and Except the following:** Part of the East 1/2 of Section 3 and the West 1/2 of Section 2 in Township 4 North, Range 14 West, Faulkner County, Arkansas, more particularly described as: Beginning at a point 2096.11 feet north of and 91.15 feet west of the southeast corner of said Section 3; thence N 00°-00'-00" E 455.00 feet; thence N 90°-00'-00" E, 200.00 feet; thence N 00°-00'-00" E, 330.00 feet; thence N 50°-55'-46" E, 7.54 feet to a point on the south line of a road; thence southeasterly along a curve to the left 524.67 feet, said curve having a radius of 869.85 feet with a bearing and distance of S 56°-21' E, 516.75 feet to a point of tangency; thence S 73°-37'-47" E, 132.05 feet; thence S 7°-33'-10" W, 415.00 feet; thence N 87°-54'-52" W, 196.27 feet; thence S 59°-30' W, 250.00 feet; thence N 77°-00' W, 300.00 feet to the point of beginning. Containing 9.30 acres more or less.

AND; the East 755 feet of the South 353 feet of the SE 1/4, NE 1/4.

AND; the SE 1/4.

TRACT NO. FIVE: Part of **Section 3, T4N, R14W,** Faulkner County, Arkansas and described as follows:

That portion of Round Mountain Subdivision lying in part of the SE 1/4 of Section 3, T4N, R14W, as shown on the Replat of Round Mountain Subdivision, filed of record on December 1, 1983, in Plat Book E at page 72, more particularly described as follows: Beginning at the SW corner of the SE 1/4, SE 1/4 of Section 3, thence run N 00-06-48 E 1320 feet; thence run North 230 feet; thence East 800 feet; thence run North 639.94 feet; thence run East 420 feet; thence South 100 feet; thence S 77 degrees E to the East line of Section 3; thence South along said

East line of Section 3 to the SE corner of Section 3; thence West along the South line of said Section 3 to the point of beginning.

WHEREAS, on the 26th day of August, 1997, the County Court of Faulkner County, Arkansas, found that the statutory requirements with reference to annexation had been complied with in full, that the petition and plat were in proper form and that the notices required by law had been properly given and on that date entered an order releasing the lands from the County and annexing the said real estate to the City of Conway, Arkansas.

WHEREAS, according to the statutes of the State of Arkansas, the said order was recorded by the County Clerk in County Record Book 50 at Page 440.

WHEREAS, pursuant to Arkansas Code Annotated § 14-40-604, persons opposing the annexation have thirty days from the date of the entry of the County Court's order to oppose the annexation by filing an action in Circuit Court.

WHEREAS, on this 26th day of August, 1997, copies of the original petition and the order confirming the annexation were filed with the City Clerk of the City of Conway, Arkansas.

NOW, THEREFORE, be it ordained by the City Council of the City of Conway, Arkansas:

SECTION 1:

The above-described real estate located in Faulkner County, Arkansas, is hereby declared annexed to and incorporated into the City of Conway, Arkansas; that the map of said annexed territory attached to the certified copies of the order of annexation is hereby declared the map of the said annexed territory; that the territory shall be zoned R-1; that all the inhabitants of the said annexed territory are declared to be citizens of Conway, Arkansas, and are entitled to all the rights, privileges and benefits of the other citizens of the City of Conway, Arkansas. For voting purposes, said territory shall be part of Ward 4. ~~1~~ /

SECTION 2:

This Ordinance will not be effective until the thirty day time period prescribed by Arkansas Code Annotated § 14-40-604 has expired.