

Ordinance No. 39

An Ordinance accepting certain territory annexed to the Town of Tontitown, Arkansas, by the County Court of Washington County, Arkansas.

Be it ordained, by the Town Council of the Town of Tontitown, Arkansas:

- I That whereas, on the 10th day of December, 1962, there was presented to the County Court of Washington County, Arkansas, a proper petition asking that certain real estate contiguous and adjacent to the Town of Tontitown, Arkansas, be annexed to the Town of Tontitown, Arkansas. The real estate in the petition was described as follows:

The North half ( $N\frac{1}{2}$ ) of the Southeast Quarter ( $SE\frac{1}{4}$ ) of Section Two (2), in Township Seventeen (17) North, Range Thirty-one (31) West; The South half ( $S\frac{1}{2}$ ) of the Southeast Quarter ( $SE\frac{1}{4}$ ) of Section One (1), in Township Seventeen (17) North, Range Thirty-one (31) West; The Southwest Quarter ( $SW\frac{1}{4}$ ) and the Northwest Quarter ( $NW\frac{1}{4}$ ) of the Southeast Quarter ( $SE\frac{1}{4}$ ) and the Southwest Quarter ( $SW\frac{1}{4}$ ) of the Northeast Quarter ( $NE\frac{1}{4}$ ) of Section Six (6) in Township Seventeen (17) North, Range Thirty (30) West; the South half ( $S\frac{1}{2}$ ) of the Southwest Quarter ( $SW\frac{1}{4}$ ) of the Southeast Quarter ( $SE\frac{1}{4}$ ) and the East half ( $E\frac{1}{2}$ ) of the Southeast Quarter ( $SE\frac{1}{4}$ ) of the Southwest Quarter ( $SW\frac{1}{4}$ ) of Section Thirty-six (36) in Township Eighteen (18) North, Range Thirty-one (31) West; the Southeast Quarter ( $SE\frac{1}{4}$ ) of the Northeast Quarter ( $NE\frac{1}{4}$ ) and the Northeast Quarter ( $NE\frac{1}{4}$ ) of the Southeast Quarter ( $SE\frac{1}{4}$ ) of Section Six (6), Township Seventeen (17) North, Range Thirty (30) West.

- II That Whereas, on the 10th day of December, 1962, the County Court of Washington County, Arkansas, found that the statutory requirements with reference to annexation had been complied with in full; that the petition and the plat were in proper form and that the notice as required by law had been properly given and on that day entered an order annexing the said real estate to the Town of Tontitown, Arkansas.
- III That Whereas, according to the Statutes of the State of Arkansas, the said order was recorded on the County Record Book E-2, and further action was not taken for a period of more than thirty days; that at the end of the thirty days, no notice of protests of any sort by any one had been filed with the authorities of the Town of Tontitown, Arkansas, nor to the agents of the petitioners, nor filed in the County Court of Washington County, Arkansas, against the aforesaid action or protesting the matters in the County Court.
- IV That Whereas, on the 11th day of January, 1963, the County Court entered an order approving and confirming all actions taken on the 10th day of December, 1962, which order is recorded in Book H-1.
- V And That Whereas, on this 14th day of Jan, 1963, certified copies of the original order and the order confirming the annexation have been filed with the Clerk of the Town of Tontitown, Arkansas;



NOW, THEREFORE, from and after the approval and publication of this Ordinance the following described real estate in Washington County, Arkansas, to-wit:

The North half ( $N\frac{1}{2}$ ) of the Southeast Quarter ( $SE\frac{1}{4}$ ) of Section Two (2), in Township Seventeen (17) North, Range Thirty-one (31) West; the South half ( $S\frac{1}{2}$ ) of the Southeast Quarter ( $SE\frac{1}{4}$ ) of Section One (1), in Township Seventeen (17) North, Range Thirty-one (31) West; the Southwest Quarter ( $SW\frac{1}{4}$ ) and the Northwest Quarter ( $NW\frac{1}{4}$ ) of the Southeast Quarter ( $SE\frac{1}{4}$ ) and the Southwest Quarter ( $SW\frac{1}{4}$ ) of the Northeast Quarter ( $NE\frac{1}{4}$ ) of Section Six (6) in Township Seventeen (17) North, Range Thirty (30) West; the South half ( $S\frac{1}{2}$ ) of the Southwest Quarter ( $SW\frac{1}{4}$ ) of the Southeast Quarter ( $SE\frac{1}{4}$ ) and the East half ( $E\frac{1}{2}$ ) of the Southeast Quarter ( $SE\frac{1}{4}$ ) of the Southwest Quarter ( $SW\frac{1}{4}$ ) of Section Thirty-six (36) in Township Eighteen (18) North, Range Thirty-one (31) West; the Southeast Quarter ( $SE\frac{1}{4}$ ) of the Northeast Quarter ( $NE\frac{1}{4}$ ) and the Northeast Quarter ( $NE\frac{1}{4}$ ) of the Southeast Quarter ( $SE\frac{1}{4}$ ) of Section Six (6), Township Seventeen (17) North, Range Thirty (30) West.

is hereby declared annexed to and incorporated into the Town of Tontitown, Arkansas; that the streets and alleys as listed therein are declared streets and alleys of the Town of Tontitown, Arkansas, and that the plat of the said territory annexed to the certified copies of the order of annexation is hereby declared the plat of the said annexed territory until such time as an additional Ordinance of the Town re-destRICTS the said Town, and that all the inhabitants of the said annexed territory are hereby declared to be citizens of Tontitown, Arkansas, and are entitled to all the rights, privileges and benefits of the other citizens of the Town of Tontitown, Arkansas.

Passed and approved this the 25th day of January, 1963.

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Harry Sbanotto, Mayor

Attest:

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Richard M. Ardemagni  
Town Clerk and Recorder



IN THE COUNTY COURT OF WASHINGTON COUNTY, ARKANSAS

IN THE MATTER OF THE ANNEXATION OF  
CERTA IN TERRITORY TO THE TOWN OF  
TONTITOWN, ARKANSAS.

O R D E R

Now on this 10th day of December, 1962, comes on to be heard this cause, the petitioners represented by their attorney announcing ready for hearing, but there being no protests or objections filed, this matter was submitted to the Court upon the petition filed herein and the evidence, both oral and documentary, adduced at the hearing, from all of which the Court finds:

That the petition in this cause was filed on the 6th day of November, 1962, at which time this Court fixed December 10, 1962 at 10:00 AM as the date for the hearing of this cause, and that a full thirty days notice of said hearing was given as required by law and the proof of publication of the said notice is now on file with the Clerk of this Court.

The Court herein being satisfied that the allegations of the petition are sustained by the proof; that the limits of the territory to be annexed has been accurately described; that an accurate map of the area to be annexed has been filed; that the petition in this cause was signed by a majority of the owners having a freehold interest of the land hereinafter described; that more than six of the signers of the said petition are qualified voters and actually reside in the territory proposed to be annexed; that the petition was signed by a majority of the total number of the owners of the real estate in the area to be affected and that they own more than one-half of the entire acreage affected.

The Court further finds that the land proposed to be annexed to Tontitown, Washington County, Arkansas, in this cause is described as follows:

The North half ( $N\frac{1}{2}$ ) of the Southeast Quarter ( $SE\frac{1}{4}$ ) of Section Two (2), in Township Seventeen (17) North, Range Thirty-one (31) West;  
The South half ( $S\frac{1}{2}$ ) of the Southeast Quarter ( $SE\frac{1}{4}$ ) of Section One (1), in Township Seventeen (17) North, Range Thirty-one (31) West;  
The Southwest Quarter ( $SW\frac{1}{4}$ ) and the Northwest Quarter ( $NW\frac{1}{4}$ ) of the Southeast Quarter ( $SE\frac{1}{4}$ ) and the Southwest Quarter ( $SW\frac{1}{4}$ ) of the Northeast Quarter ( $NE\frac{1}{4}$ ) of Section Six (6), in Township Seventeen (17) North, Range Thirty (30) West; the South half ( $S\frac{1}{2}$ ) of the Southwest Quarter ( $SW\frac{1}{4}$ ) of the Southeast Quarter ( $SE\frac{1}{4}$ ) and the East half ( $E\frac{1}{2}$ ) of the Southeast Quarter ( $SE\frac{1}{4}$ ) of the Southwest Quarter ( $SW\frac{1}{4}$ ) of Section Thirty-six (36), in Township Eighteen (18) North, Range Thirty-one (31) West; the Southeast Quarter ( $SE\frac{1}{4}$ ) of the Northeast Quarter ( $NE\frac{1}{4}$ ) and the Northeast Quarter ( $NE\frac{1}{4}$ ) of the Southeast Quarter ( $SE\frac{1}{4}$ ) of Section Six (6), Township Seventeen (17) North, Range Thirty (30) West.

That the area is not unusually large and that it is contiguous and adjacent to and adjoins the present corporate limits of the Town of Tontitown, and that it is peculiarly adapted for urban purposed and that this territory should be annexed to and made a part of the Town of Tontitown, Arkansas.

IT IS, THEREFORE, ORDERED AND ADJUDGED by the Court that the aforesaid described real estate situated in Washington County, Arkansas, be and the same is hereby annexed to and made a part of the Town of Tontitown, Arkansas, in accordance with Act No. 1 of the Acts of the Legislature of 1875 of the State of Arkansas and all Acts amendatory thereto, particularly including Act 142 of the Acts of Arkansas for the year 1953.

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BRUCE CRIDER, COUNTY JUDGE

I, Paul C. Davis, County Clerk of Washington County, Arkansas, hereby certify that the above and foregoing is a true and correct copy of an Order entered by the County Judge of Washington County, Arkansas, on the 10th day of December, 1962, annexing certain real estate to the Town of Tontitown, Arkansas, and that the same now appears of record in County Record Book 62, Page \_\_\_\_.

In Witness Whereof, I hereby affix my hand and seal this the 10th day of December, 1962.

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Paul C. Davis