

ORDINANCE NO. 44

"AN ORDINANCE ACCEPTING CERTAIN TERRITORY ANNEXED
TO THE TOWN OF TONTITOWN, ARKANSAS, BY THE COUNTY
COURT OF WASHINGTON COUNTY, STATE OF ARKANSAS."

BE IT ORDAINED, by the Town Council of the Town of Tontitown,
Arkansas:

Section 1: That Whereas, on the 6th day of April, 1967,
there was presented to the County Court of Washington County, Ark-
ansas, 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, to-wit:

Part of Section 7, Township 17 North, Range 30 West;
Part of Section 6, Township 18 North, Range 30 West, and
Part of Section 12, Township 17 North, Range 31 West, and
being described as follows, to-wit: Beginning at the
Northwest Corner of Section 12, Township 17 North,
Range 31 West; thence South One-Half Mile; thence East
One-Fourth Mile; thence South to the West Right-of-Way
of the K. C. & M. RR; thence Northerly along said West
Right-of-Way of the K. C. & M. RR, to a point 440 feet
South of the North line of the Northeast Quarter of the
Southwest Quarter of said Section 12, Township 17 North,
Range 31 West; thence East to the East line of said NE $\frac{1}{4}$
of SW $\frac{1}{4}$ of said Section, Township and Range; thence
North to the Center of said Section, Township and Range;
thence East One-Fourth Mile; thence South One-Fourth Mile;
thence East One-Fourth Mile; thence North to the South-
west Corner of the North Half of the South Half of the
Northwest fractional Quarter of Section 7, Township 17
North, Range 30 West; thence East One Half Mile; thence
North One Eighth Mile; thence East to a point 5 $\frac{1}{2}$ rods
West of the Southeast Corner of the Northwest Quarter of
the Northeast Quarter of Section 7, Township 17 North,
Range 30 West; thence North 65 rods; thence East to the
center of the Public Road; thence Northerly along the
center of the Public Road to the North line of the Southwest
Quarter of the Southeast Quarter of Section 6, Township 18
North, Range 30 West; thence West to the Northwest corner of
the Southwest Quarter of the Southeast Quarter of said
Section, Township and Range; thence South one-fourth mile;
thence West one and one-half miles to the point of beginning.

Section 2: That Whereas, on the 9th day of May, 1967, the
County Court of Washington County, Arkansas, found that the
statutory requirements with reference to annexation had been com-
plied 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.

Section 3: That, Whereas, according to the Statutes of the State of Arkansas, the said order was recorded on the County Record Book L-1 at Page 359 and 360, and further action was not taken for a period of more than thirty days; that at the end of 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.

Section 4: That Whereas, on the 12 day of June, 1967, the County Court entered an order approving and confirming all actions taken on the 9th day of May, 1967, which order is recorded in Book L-1, at Pages 359 and 360.

Section 5: And That Whereas, on this 12 day of June, 1967, 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:

Part of Section 7, Township 17 North, Range 30 West;
Part of Section 6; Township 18 North, Range 30 West;
Part of Section 12, Township 17 North, Range 31 West,
and being described as follows, to-wit: Beginning
at the Northwest Corner of Section 12, Township 17
North, Range 31 West; thence South One Half Mile;
thence East One Fourth Mile; thence South to the West
Right-of-way of the K. C. & M. RR; thence Northerly
along said West Right-of-Way of the K. C. & M. RR.,
to a point 440 feet South of the North line of the
Northeast Quarter of the Southwest Quarter of said
Section 12, Township 17 North, Range 31 West; thence
East to the East line of said NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of said Section,
Township and Range; thence North to the Center of said
Section, Township and Range; thence East One Fourth Mile;
thence South One Fourth Mile; thence East One Fourth
Mile; thence North to the Southwest Corner of the North
Half of the South Half of the Northwest fractional
Quarter of Section 7, Township 17 North, Range 30 West;
thence East One Half Mile; thence North One Eighth Mile;
thence East to a point 5 $\frac{1}{2}$ rods West of the Southeast
Corner of the Northwest Quarter of the Northeast Quarter
of Section 7, Township 17 North, Range 30 West; thence
North 65 rods; thence East to the center of the Public
Road; thence Northerly along the center of the Public
Road to the North line of the Southwest Quarter of the
Southeast Quarter of Section 6, Township 18 North, Range
30 West; thence West to the Northwest Corner of said
SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of said Section, Township and Range; thence
South $\frac{1}{4}$ Mile; thence West 1 $\frac{1}{2}$ miles to the point of beginning;

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-districts 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 12 day of June,
19 67.

HARRY SBANOTTO, MAYOR

ATTEST:

TOWN CLERK AND RECORDER

FILED

JUN 12 '67

IN THE COUNTY COURT OF WASHINGTON COUNTY, ARKANSAS, CLERK

IN THE MATTER OF THE ANNEXATION OF
CERTAIN TERRITORY TO THE TOWN OF
TONTITOWN, ARKANSAS

ORDER

WHEREAS, on the 9th day of May, 1967, there was entered in this cause an Order annexing the following described real estate to the Town of Tontitown, Arkansas, which real estate is described as follows:

Part of Section 7, Township 17 North, Range 30 West; Part of Section 6, Township 18 North, Range 30 West; and Part of Section 12, Township 17 North, Range 31 West, and being described as follows, to-wit: Beginning at the Northwest Corner of Said Section 12, Township 17 North, Range 31 West; thence South One Half Mile; thence East One Fourth Mile; thence South to the West right-of-way of the K. C. & M. RR; thence Northerly along said West right-of-way of the K. C. & M. RR, to a point 440 feet South of the North line of the Northeast Quarter of the Southwest Quarter of said Section 12, Township 17 North, Range 31 West; thence East to the East line of said NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of said Section, Township and Range; thence North to the Center of said Section, Township and Range; thence East $\frac{1}{4}$ mile; thence South $\frac{1}{4}$ mile; thence East $\frac{1}{4}$ mile; thence North to the Southwest Corner of the North Half of the South Half of the Northwest fractional Quarter of Section 7, Township 17 North, Range 30 West; thence East $\frac{1}{4}$ Mile; thence North one-eighth mile; thence East to a point 5 $\frac{1}{2}$ rods West of the Southeast Corner of the Northwest Quarter of the Northeast Quarter of Section 7, Township 17 North, Range 30 West; thence North 65 rods; thence East to the center of the Public Road; thence Northerly along the center of the public road to the North line of the Southwest Quarter of the Southeast Quarter of Section 6, Township 18 North, Range 30 West; thence West to the Northwest corner of said SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of said Section, Township and Range; thence South One-Fourth Mile; thence West One and One-Half Miles to the point of beginning.

AND WHEREAS, the said order was duly entered on the County Records of Washington County, Arkansas, in Book L, Pages 359 and 360, on that same day; and

WHEREAS, no notice has been given to the authorities of the Town of Tontitown, Arkansas, nor to the agents of the petitioners, nor have any exceptions to the said order been filed with the County Clerk of Washington County, Arkansas; and

NOW, THEREFORE, it appearing that no exceptions to the said action have been filed by any interested person and that the Town of Tontitown, Arkansas, has by proper resolution entered its appearance in the within cause and asked that the annexation be completed, this Court herein

finds that the petition and all proceedings thereunder are in compliance with the Statutes and that the action of the County Court in its order of May 9, 1967, should be in all things approved and confirmed.

IT IS, THEREFORE, THE JUDGMENT AND ORDER OF THIS COURT that the order of this Court entered on the 9th day of May, 1967, annexing the above and foregoing mentioned territory to the Town of Tontitown, Arkansas, is in all things approved and confirmed and the Clerk is directed to certify a copy of this order along with a copy of the original order and transmit the same to the Clerk of the Town of Tontitown, Arkansas, and copies of the same to the Secretary of State.

This the 12th day of June, 1967.

Gene L. Thrasher
COUNTY JUDGE

I, Ruth Roberts, County Clerk of Washington County, Arkansas, hereby certify that the above and foregoing is a true and correct copy of an Order entered by Gene Thrasher, County Judge, on the 12th day of June, 1967, approving and confirming the annexation of certain real estate to the Town of Tontitown, Arkansas, which original order was entered May 9, 1967.

That this order is recorded in County Record Book _____ at Page _____.

IN WITNESS WHEREOF, I hereby affix my hand and official seal this the 12th day of June, 1967.

COUNTY CLERK

FILED

MAY 9 '67

WILLIAM E. ROBERTS
CLERK AND PROBATE CLERK
WASHINGTON CO. ARK.

IN THE COUNTY COURT OF WASHINGTON COUNTY, ARKANSAS

IN THE MATTER OF THE ANNEXATION OF
CERTAIN TERRITORY TO THE TOWN OF
TONTITOWN, ARKANSAS,

ORDER

Now on this 9th day of May, 1967, 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 April, 1967, at which time this Court fixed May 9, 1967, at 9:00 a.m. 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 have 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:

Part of Section 7, Township 17 North, Range 30 West,
Part of Section 6, Township 18 North, Range 30 West, and
Part of Section 12, Township 17 North, Range 31 West,
and being described as follows, to-wit: Beginning at the
Northwest Corner of Section 12, Township 17 North, Range
31 West; thence South One Half Mile; thence East One Fourth
Mile; thence South to the West Right-of-Way of the K. C. & M.
RR; thence Northerly along said West Right-of-Way of the K. C.
& M. RR, to a point 440 feet South of the North line of the
Northeast Quarter of the Southwest Quarter of said Section 12,
Township 17 North, Range 31 West, thence East to the East line
of said NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of said Section, Township and Range; thence
North to the Center of said Section, Township and Range; thence
East One Fourth Mile; thence South One Fourth Mile; thence East
One Fourth Mile; thence North to the Southwest Corner of the North
Half of the South Half of the Northwest fractional Quarter of Section
7, Township 17 North, Range 30 West; thence East One Half Mile; thence
North One Eighth Mile; thence East to a point 5 $\frac{1}{2}$ rods West of the
Southeast Corner of the Northwest Quarter of the Northeast Quarter
of Section 7, Township 17 North, Range 30 West; thence North 65 rods,
thence East to the center of the Public Road; thence Northerly
along the center of the Public Road to the North line of
the Southwest Quarter of the Southeast Quarter of Section 6,
Township 18 North, Range 30 West; thence West to the Northwest corner
of said SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of said Section, Township and Range; thence South
One Fourth Mile; thence West One and One Half Miles to the point of
beginning.

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
purposes, 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.

Gene Thrasher
Gene Thrasher, County Judge

I, Ruth E. Roberts, 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 9 day of May, 1967, annexing
certain real estate to the Town of Tontitown, Arkansas, and that the
same now appears of record in County Record Book L-1, Page 359-360.

IN WITNESS WHEREOF, I hereby affix my hand and seal this 9 day
of May, 1967.

Ruth E. Roberts, County Clerk
By: Mildred McLaughlin, D. Clerk

NOTICE OF FILING PETITION FOR ANNEXATION

Notice is hereby given that a petition has been filed in the County Court of Washington County, Arkansas, requesting that the County Court of Washington County, Arkansas, make an order granting the petition and annexing the territory described below, lying contiguous and adjacent to the Town of Tontitown, Arkansas, to-wit:

Part of Section 7, Township 17 North, Range 30 West; Part of Section 6, Township 18 North, Range 30 West, and Part of Section 12, Township 17 North, Range 31 West, and being described as follows, to-wit: Beginning at the Northwest Corner of Section 12, Township 17 North, Range 31 West, thence South One Half Mile; thence East One Fourth Mile; thence South to the West Right-of-Way of the K. C. & M. RR; thence Northerly along said West Right-of-Way of the K. C. & M. RR, to a point 440 feet South of the North line of the Northeast Quarter of the Southwest Quarter of said Section 12, Township 17 North, Range 31 West; thence East to the East line of said NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of said Section, Township and Range; thence North to the Center of said Section, Township and Range; thence East One Fourth Mile; thence South One Fourth Mile; thence East One Fourth Mile; thence North to the Southwest Corner of the North Half of the South Half of the Northwest fractional Quarter of Section 7, Township 17 North, Range 30 West; thence East One Half Mile; thence North One Eighth Mile; thence East to a point 5 $\frac{1}{2}$ rods West of the Southeast Corner of the Northwest Quarter of the Northeast Quarter of Section 7, Township 17 North, Range 30 West; thence North 65 rods, thence East to the center of the Public Road; thence Northerly along the center of the Public Road to the North line of the Southwest Quarter of the Southeast Quarter of Section 6, Township 18 North, Range 30 West, thence West to the Northwest corner of said SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of said Section, Township and Range; thence South One Fourth Mile; thence West One and One Half Miles to the point of beginning.

The petition states that it is signed by a majority of the qualified voters having a freehold estate in the above described real estate and a majority of the real estate owners of said territory, both in total number of owners and that they are owners of more than one-half of the real estate affected, and that six or more of said owners live in the territory. These petitioners further name Harry Shanotto as their agent authorized to act on behalf of the petitioners.

The petition has been set for hearing by the County Court of Washington County, Arkansas, on the 9 day of May, 1965, at 9:00 am in the Circuit Courtroom of the County Courthouse in Fayetteville, Arkansas. All parties interested are hereby notified

of the time and place of said hearing and that they have the right to appear at said time and place either in support of or in opposition to the prayer of said petition.

DATED this 6 day of April, 1967.

HARRY SBANOTTO,
Authorized Agent of Petitioners

FILED

APR 11 '67

IN THE COUNTY COURT OF WASHINGTON COUNTY, ARKANSAS

IN THE MATTER OF ANNEXING TERRITORY
TO TONTITOWN, ARKANSAS

WHEREAS, there has been filed with the Clerk of this Court

a petition of residents of:

Part of Section 7, Township 17 North, Range 30 West; Part of Section 6, Township 18 North, Range 30 West; and Part of Section 12, Township 17 North, Range 31 West, and being described as follows, to-wit: Beginning at the Northwest Corner of Section 12, Township 17 North, Range 31 West; thence South $\frac{1}{2}$ Mile; thence East $\frac{1}{2}$ Mile; thence South to the West Right-of-Way of the K.C.&M. RR; thence Northerly along said West Right-of-Way of the K.C.&M. RR, to a point 440 feet South of the North line of the Northeast Quarter of the Southwest Quarter of said Section 12, Township 17 North, Range 31 West; thence East to the East line of said NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of said Section, Township and Range; thence North to the Center of said Section, Township and Range; thence East $\frac{1}{2}$ Mile; thence South $\frac{1}{2}$ Mile; thence East $\frac{1}{2}$ Mile; thence North to the Southwest Corner of the North Half of the South Half of the Northwest fractional Quarter of Section 7, Township 17 North, Range 30 West; thence East $\frac{1}{2}$ Mile; thence North $\frac{1}{8}$ Mile; thence East to a point $5\frac{1}{2}$ rods West of the Southeast Corner of the Northwest Quarter of the Northeast Quarter of Section 7, Township 17 North, Range 30 West; thence North 65 rods; thence East to the center of the Public Road; thence Northerly along the center of the Public Road to the North line of the Southwest Quarter of the Southeast Quarter of Section 6, Township 18 North, Range 30 West; thence West to the NW corner of said SW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section, Township and Range; thence South $\frac{1}{2}$ Mile; thence West $1\frac{1}{2}$ Miles to the point of beginning.

asking an order of this Court annexing the territory to the Town
of Tontitown, Arkansas, to which it is contiguous and adjacent, and,

WHEREAS, the statute requires that proper notice be published
and that a date for hearing be set,

IT IS, THEREFORE, THE JUDGMENT AND ORDER OF THIS COURT
that the date for hearing things in opposition to and those in favor
of the said annexation, is hereby set by this Court for hearing on
the 9th day of May, 1967, ^{9:00 A.M.} in the Circuit Courtroom at
the Courthouse in Fayetteville, Washington County, Arkansas.

Jene Thrasher

COUNTY JUDGE

Order County Court

353

April 67

Ruth E. Roberts

That a true and correct plat of said territory is attached hereto, marked Exhibit "A" and made a part hereof as though set forth word for word herein. That each of the parties joining in the petition desires the aforescribed property to be annexed to, become and made a part of Tontitown, Washington County, Arkansas, and have nominated Harry Sbanotto as agent to act for and on behalf of the said petitioners in all things necessary to accomplish the objectives set forth herein.

That a copy of the original signed petition is attached hereto and made a part hereof, marked Exhibit "B", as though set forth word for word herein.

WHEREFORE, it is respectfully prayed that this Court order that proper notice, pursuant to the applicable law, be given: that a date for hearing on the petition be set, and that after a hearing on the petition be had, an order be issued by this Court annexing the above described real estate to Tontitown, Washington County, Arkansas, and that such other and further relief as is appropriate under the applicable law be granted.

Respectfully submitted,

HARRY SBANOTTO, Agent For:

Fredie P. Taldo	Vernon E. Taldo
Lorine Taldo	Marguerita L.
James L. Russell	Taldo
Sarah Russell	Albert Pellin.
Albino Roso	
Kate Roso	
Rose Carendu	
Evert Collins	
Annie Collins	
Joseph A. Franco	
Frances A. Franco	
George E. Piazza	
Henry C. Piazza	
Bonnie Piazza	
Hubert F. Piazza	
Joyce Piazza	
Domenico Piazza	
Blanche Piazza	
Albert Piazza	
Charlotte Piazza	
Denis Ceola	
Margie Ceola	
James R. Finn	
Rose C. Morsani	

FILED

APR 5 '37

CLERK
WASHINGTON COUNTY, ARK.

IN THE COUNTY COURT OF WASHINGTON COUNTY, ARKANSAS

TO THE HONORABLE GENE THRASHER, COUNTY JUDGE:

PETITION TO ANNEX TERRITORY TO THE
TOWN OF TONTITOWN, WASHINGTON COUNTY, ARKANSAS

For and on behalf of the persons hereinafter designated, this petition is made to this Honorable Court as follows:

That a majority of all the property owners having a freehold interest in the territory hereinafter described, more than six of whom are legal residents and qualified voters in the territory described below, and all of us join with the majority having a freehold interest in the territory described below, the same being more than one-half of the majority of the total number of real estate owners of the area affected and that as such majority of the total number of owners own more than one-half of the acreage affected.

That the territory hereinafter described is contiguous to and adjoins the incorporated town of Tontitown, Arkansas, and is described as follows:

Part of Section 7, Township 17 North, Range 30 West, Part of Section 6, Township 18 North, Range 30 West, and Part of Section 12, Township 17 North, Range 31 West, and being described as follows, to-wit: Beginning at the Northwest Corner of Section 12, Township 17 North, Range 31 West, thence South One Half Mile, thence East One Fourth Mile; thence South to the West Right-of-Way of the K. C. & M. RR; thence Northerly along said West Right-of-Way of the K. C. & M. RR, to a point 440 feet South of the North line of the Northeast Quarter of the Southwest Quarter of Said Section 12, Township 17 North, Range 31 West; thence East to the East line of said NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of said Section, Township and Range; thence North to the Center of said Section, Township and Range; thence East One Fourth Mile; thence South One Fourth Mile; thence East One Fourth Mile; thence North to the Southwest Corner of the North Half of the South Half of the Northwest fractional Quarter of Section 7, Township 17 North, Range 30 West; thence East One Half Mile; thence North One Eighth Mile; thence East to a point 5 $\frac{1}{2}$ rods West of the Southeast Corner of the Northwest Quarter of the Northeast Quarter of Section 7, Township 17 North, Range 30 West; thence North 65 rods; thence East to the center of the Public Road; thence Northerly along the center of the Public Road to the North line of the Southwest Quarter of the Southeast Quarter of Section 6, Township 18 North, Range 30 West; thence West to the Northwest corner of said SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of said Section, Township and Range; thence South One Fourth Mile; thence West One and One Half Miles to the point of beginning.

INDEPENDENT

© 1967 BY JAMES E. EVANS, SPRINGDALE, ARKANSAS

LAW OFFICE
JAMES E. EVANS
ATTORNEY AT LAW

517 SOUTH HOLCOMB • SPRINGDALE, ARKANSAS 72764 • PHONE PL 1-9452

MESSAGE

REPLY

TO

Mr. Richard Ardemagni, Sr.

Tontitown

Arkansas

DATE

June 28, 1967

Re: Ordinance #44

Dear Richard:

Enclosed herewith is a copy
of the above captioned Ordinance
for your files.

Sincerely,

James E. Evans

JEE/dp

DATE

*This ordinance was
filed for record
June 14, 1967, at 9:48 am
in Volume 704, Pages
218, 219 + 220.*

BY

INSTRUCTIONS TO SENDER

1. KEEP YELLOW COPY. 2. SEND WHITE AND PINK COPIES WITH CARRON INTACT.

SIGNED

INSTRUCTIONS TO RECEIVER

1. WRITE REPLY. 2. ON EACH PLUS, KEEP PINK COPY. RETURN WHITE COPY TO SENDER.

STATE OF ARKANSAS
COUNTY OF WASHINGTON } ss.

I, Charles E. Sanders, do solemnly swear that I am editor of THE SPRINGDALE NEWS, a daily newspaper published in said county, and that I was such editor on the dates of publication hereinafter stated, and that said newspaper had a bona fide circulation in said county on said dates, and had been regularly published in said county for a period of one month next before the date of publication of advertisement hereto annexed, and that said advertisement was published in said newspaper 1 times for 1 weeks consecutively, the first insertion therein having been made on the 15 day of June, 1967 and the last on the _____ day of _____, 19____.

Charles E. Sanders
Editor.

Subscribed and sworn before me this 15 day of June, 1967.

Maudine J. Sanders
Notary Public.

My commission expires May 2, 1971.

Cost of publication: \$ 33.03

ORDINANCE NO. 44

"AN ORDINANCE ACCEPTING CERTAIN TERRITORY ANNEXED TO THE TOWN OF TONTITOWN, ARKANSAS, BY THE COUNTY COURT OF WASHINGTON COUNTY, STATE OF ARKANSAS."

BE IT ORDAINED, by the Town Council of the town of Tontitown, Arkansas:

Section 1: That Whereas, on the 6th day of April, 1967, 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, to-wit:

Part of Section 7, Township 17 North, Range 30 West; Part of Section 6, Township 18 North, Range 30 West, and Part of Section 12, Township 17 North, Range 31 West, and being described as follows, to-wit: Beginning at the Northwest Corner of Section 12, Township 17 North, Range 31 West; thence South One-Half Mile; thence East One-Fourth Mile; thence South to the West Right-of-Way of the K. C. & M. RR; thence Northerly along said West Right-of-Way of the K. C. & M. RR, to a point 440 feet South of the North line of the Northeast Quarter of the Southwest Quarter of said Section 12, Township 17 North, Range 31 West; thence East to the East line of said NE 1/4 of SW 1/4 of said Section, Township and Range; thence North to the Center of said Section, Township and Range; thence East One-Fourth Mile; thence South One-Fourth Mile; thence North to the Southwest Corner of the North Half of the South Half of the Northwest fractional Quarter of Section 7, Township 17 North, Range 30 West; thence East One-Half Mile; thence North One-eighth Mile; thence East to a point 5 1/2 rods West of the Southeast Corner of the Northwest Quarter of the Northeast Quarter of Section 7, Township 17 North, Range 30 West; thence North 65 rods; thence East to the center of the Public Road; thence Northerly along the center of the Public Road to the North line of the Southwest Quarter of the Southeast Quarter of Section 6, Township 18 North, Range 30 West; thence West to the Northwest corner of said Southwest Quarter of the Southeast Quarter of said Section, Township and Range; thence South one-fourth mile; thence West one and one-half miles to the point of beginning.

Section 2: That Whereas, on the 9th day of May, 1967, 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.

Section 3: That, Whereas, according to the Statutes of the State of Arkansas, the said order was recorded on the County Record Book L-1 at Page 359 and 360, 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.

Section 4: That Whereas, on the 12th day of June, 1967, the County Court entered an order approving and confirming all actions taken on the 9th day of May, 1967, which order is recorded in Book L-1, at Pages 359 and 360.

Section 5: And That Whereas, on this 12th day of June, 1967, 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:

Part of Section 7, Township 17 North, Range 30 West; Part of Section 6, Township 18 North, Range 30 West, and Part of Section 12, Township 17 North, Range 31 West, and being described as follows, to-wit: Beginning at the Northwest Corner of Section 12, Township 17 North, Range 31 West; thence South One-Half Mile; thence East One-Fourth Mile; thence South to the West Right-of-Way of the K. C. & M. RR; thence Northerly along said West Right-of-Way of the K. C. & M. RR, to a point 440 feet South of the North line of the Northeast Quarter of the Southwest Quarter of said Section 12, Township 17 North, Range 31 West; thence East to the East line of said NE 1/4 of SW 1/4 of said Section, Township and Range; thence North to the Center of said Section, Township and Range; thence East One-Fourth Mile; thence South One-Fourth Mile; thence North to the Southwest Corner of the North Half of the South Half of the Northwest fractional Quarter of Section 7, Township 17 North, Range 30 West; thence East One-Half Mile; thence North One-Eighth Mile; thence East to a point 5 1/2 rods West of the Southeast Corner of the Northwest Quarter of the Northeast Quarter of Section 7, Township 17 North, Range 30 West; thence North 65 rods; thence East to the center of the Public Road; thence Northerly along the center of the Public Road to the North line of the Southwest Quarter of the Southeast Quarter of Section 6, Township 18 North, Range 30 West; thence West to the Northwest corner of said Southwest Quarter of the Southeast Quarter of said Section, Township and Range; thence South one-fourth mile; thence West one and one-half miles to the point of beginning.

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-districts 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 12th day of June, 1967.

Harry Shanotto, Mayor

Attest:
Richard M. Ardemagni,
Town Clerk and Recorder

June 15

IN THE COUNTY COURT OF WASHINGTON COUNTY, ARKANSAS

IN THE MATTER OF THE ANNEXATION OF
CERTAIN TERRITORY TO THE TOWN OF
TONTIOWN, ARKANSAS,

O R D E R

Now on this 9th day of May, 1967, 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 April, 1965, at which time this Court fixed May 9th, 1967, at 9:00 A.M. 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 have 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:

Part of Section 7, Township 17 North, Range 30 West,
Part of Section 6, Township 18 North, Range 30 West, and
Part of Section 12, Township 17 North, Range 31 West,
and being described as follows, to-wit: Beginning at
the Northwest corner of Section 12, Township 17 North,
Range 31 West; thence South one-half mile; thence East
one-fourth mile; thence South to the West Right-of-way
of the K. C. & M. RR.; thence Northerly along said West
Right-of-way of the K. C. & M. RR. to a point 440 feet
South of the North line of the Northeast Quarter of the
Southwest Quarter of said Section 12, Township 17 North,
Range 31 West, thence East to the East line of said NE $\frac{1}{4}$
of SW $\frac{1}{4}$ of said Section, Township and Range; thence North
to the center of said Section, Township and Range; thence
East one-fourth mile thence South one-fourth mile, thence
East one-fourth mile; thence North to the Southwest corner
of the North half of the South half of the Northwest
fractional Quarter of Section 7, Township 17 North, Range
30 West; thence East one-half mile; thence North one-
eighth mile; thence East to a point 5 $\frac{1}{2}$ rods West of the
Southeast corner of the Northwest Quarter of the North-
east Quarter of Section 7, Township 17 North, Range 30
West; thence North 65 rods, thence East to the center
of the Public Road; thence Northerly along the center of
the Public Road to the North line of the Southwest
Quarter of the Southeast Quarter of Section 6, Township
18 North, Range 30 West; thence West to the Northwest
corner of said SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of said Section, Township and
Range; thence South one-fourth mile; thence West one and
one-half miles to the point of beginning.

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 purposes, 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 Tonitown, 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.

Cene Thrasher, County Judge

I, Ruth Roberts, 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 9th day of May, 1967, annexing certain real estate to the Town of Tontitown, Arkansas, and that the same now appears of record in County Record Book L-1, Page 359-360.

IN WITNESS WHEREOF, I hereby affix my hand and seal this 9th day of May, 1967.

Ruth E. Roberts, County Clerk
By Mildred McCaugh, D.C.