

ORDINANCE NO. 96

An Ordinance Confirming the Annexation of 24.54 acres of land to the City of Tontitown, Arkansas.

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

Section 1. That the City Council hereby confirms the annexation to the City of Tontitown, Arkansas of 24.54 acres of land described as follows:

Part of the West One-half of the Southeast Quarter of the Southeast Quarter and part of the Northeast Quarter of the Southeast Quarter and part of the Southwest Quarter of the Southeast Quarter of Section Six (6), Township Seventeen (17) North, Range Thirty (30) West, more particularly described as follows: Beginning at the Southeast Corner of the West One-half of the Southeast Quarter of the Southeast Quarter, Section Six (6) Township Seventeen (17) North, Range Thirty (30) West and running thence South 89°52'04" West 369.70 feet to a point on the East right of way line of Highway 112, thence along said right of way line North 26°17'57" West 751.34 feet, North 28°20'31" West 345.55 feet, North 30°04'55" West 599.78 feet more or less, thence departing said right of way line South 89°36'25" East 1128.86 feet, thence South 00°25'57" East 1447.57 feet to the point of beginning and containing 24.54 acres more or less, all in Washington County, Arkansas.

Passed and approved this 2nd day of November, 1993.



Frances Franco
FRANCES FRANCO, CITY CLERK

Fredie P. Taldo
FREDIE P. TALDO, MAYOR

FILED FOR RECORD

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WASHINGTON CO AR
K. HARRISS

MARILYN EDWARDS
CO. & PROBATE CLERK
WASHINGTON CO. ARK.

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FILED

2000053356

IN THE COUNTY COURT OF WASHINGTON COUNTY, ARKANSAS

IN THE MATTER OF THE)
ANNEXATION OF CERTAIN)
TERRITORY TO THE CITY OF)
TONTITOWN, ARKANSAS, A)
MUNICIPAL CORPORATION)

'93 OCT 4 AM 9 15

MARILYN EDWARDS
CC 93-7
CO. & PROBATE CLERK
WASHINGTON CO. ARK.

ORDER OF ANNEXATION

Now on this 4th day of October, 1993, comes on to be heard the petition of GARY WILF, et. al., wherein they pray for an order annexing the property hereinafter described to the City of Tontitown, Arkansas and the court, being well and sufficiently advised in the premises, finds:

That the petitioners constitute a majority of the real estate owners of the property hereinafter described and further own more than one-half of the acreage affected; further, that the following described real property is situated in Washington County, Arkansas, and is contiguous to and adjoins the City of Tontitown, Arkansas:

Part of the West One-half of the Southeast Quarter of the Southeast Quarter and part of the Northeast Quarter of the Southeast Quarter and part of the Southwest Quarter of the Southeast Quarter of Section Six (6), Township Seventeen (17) North, Range Thirty (30) West, more particularly described as follows: Beginning at the Southeast Corner of the West One-half of the Southeast Quarter of the Southeast Quarter, Section Six (6) Township Seventeen (17) North, Range Thirty (30) West and running thence South 89°52'04" West 369.70 feet to a point on the East right of way line of Highway 112, thence along said right of way line North 26°17'57" West 751.34 feet, North 28°20'31" West 345.55 feet, North 30°04'55" West 599.78 feet more or less, thence departing said right of way line South 89°36'25" East 1128.86 feet, thence South 00°25'57" East 1447.57 feet to the point of beginning and containing 24.54 acres more or less, all in Washington County, Arkansas.

The Court further finds that the limits of the territory to be annexed have been accurately described in the petition and

in the notice which has been published as required by law, and that an accurate map thereof has been made and filed in this Court.

The Court further finds that this day is the day originally set for a hearing on said petition which was filed more than thirty days ago; that notice of this hearing was given by publication in the manner required by law; that no objections or protests have been filed to the annexation of the above described territory to the City of Tontitown, Arkansas; that the allegations and prayer of the petition are in all things right and proper and in accord with the statutory requirements governing annexations; that said allegations are sustained by good and sufficient proof; that the prayer of said petition should be granted.

IT IS THEREFORE BY THE COURT CONSIDERED, ORDERED AND ADJUDGED that the real property hereinafter described be and the same is hereby annexed to the City of Tontitown, Arkansas:

Part of the West One-half of the Southeast Quarter of the Southeast Quarter and part of the Northeast Quarter of the Southeast Quarter and part of the Southwest Quarter of the Southeast Quarter of Section Six (6), Township Seventeen (17) North, Range Thirty (30) West, more particularly described as follows: Beginning at the Southeast Corner of the West One-half of the Southeast Quarter of the Southeast Quarter, Section Six (6) Township Seventeen (17) North, Range Thirty (30) West and running thence South 89°52'04" West 369.70 feet to a point on the East right of way line of Highway 112, thence along said right of way line North 26°17'57" West 751.34 feet, North 28°20'31" West 345.55 feet, North 30°04'55" West 599.78 feet more or less, thence departing said right of way line South 89°36'25" East 1128.86 feet, thence South 00°25'57" East 1447.57 feet to the point of beginning and containing 24.54 acres more or less, all in Washington County, Arkansas.

It is further ordered and directed that this order be spread of record by the Clerk of Washington County, Arkansas.


COUNTY JUDGE

TRUMAN E. YANCEY

Attorney-at-Law

P. O. BOX 1224 - 105 S. CHURCH AVE.
FAYETTEVILLE, ARKANSAS 72702-1224

PHONE 501-443-4011

October 6, 1993

The Mayor and Council
City of Tontitown Arkansas
Tontitown Town Hall
Tontitown, AR 72770


Re: Gary Wilf, et. al. Annexation

Dear Mayor and Council:

On Petition of a majority of the owners of the real estate, who also own more than half of the real estate, the County Court of Washington County has issued its Order Annexing to the City of Tontitown 24.54 acres, more or less, located South of U.S. Highway 412 and East of State Highway 112. The Order will become final on November 3, 1993. A copy of the Order of Annexation is attached.

Request this matter be on the Council Agenda on November 2, 1993, for consideration of an ordinance accepting the annexation to the City of Tontitown.

Sincerely,


Truman E. Yancey

TEY:smy

IN THE COUNTY OF WASHINGTON COUNTY, ARKANSAS

GARY WILF and MARTHA WILF
PARK WALDROUP and AMY WALDROUP
WILLIAM LEE and CARLA LEE,
MARY JEFFERS
JOHN STOUT and JEAN STOUT
ROBERT HODGES and CAROLYN HODGES
RICHARD ~~Roberts~~ and ALMA ~~Roberts~~
SAMUEL LYONS and ~~DONNA LYONS~~
JOHNNY WOLF and ~~Shelley Wolf~~
MICHAEL LAWRENCE and ROSE LAWRENCE
DON MICHAEL and JENNY MICHAEL
CHARLES GRAY and SHARON GRAY
CALVIN LONG and ~~Avis LONG~~
and

PETITIONERS

PETITION FOR ANNEXATION

Come now the Petitioners and for their Petition, respectfully state:

1. That Petitioners are the owners of the following described property located in Washington County, Arkansas, to-wit:

Beginning at the SE corner of the W 1/2 of the SE 1/4 of the SE 1/4, Section 6, Township 17 North, Range 30 West, and running thence South 89°52'04" West 369.70 feet to a point on the East right of way line of Highway 112, thence along said right of way line N 26°17'57" West 751.34 feet, thence North 28°20'31" West 345.55 feet, thence departing said right of way line South 88°37'20" East 194.85 feet, thence North 00°29'05" East 479.89 feet, thence South 89°36'25" East 656.86 feet, thence South 00°25'57" East 1447.57 feet to the point of beginning and containing 20.84 Acres more or less, also known as Countryside Estates, a subdivision in Washington County Arkansas.

and

Part of the NW 1/4 of the SE 1/4 and a part of the SW 1/4 of the SE 1/4 of Section 6, Township 17, North of Range 30 West, described as beginning at a point 8 rods N of the NE corner of the SW 1/4 of the SE 1/4 for a beginning points; and running thence West 508 feet, or to the middle of the old Fayetteville-Bentonville road; thence in a SE direction with the middle of said road 1040 feet, or to where said road crosses the East line of said SW 1/4 of the SE 1/4; thence North 908 feet to the point of beginning.

2. That said property described herein is contiguous to and adjoining the City limits of Tontitown, Arkansas; that a plat of the above described land is attached hereto marked as Exhibit "A".

3. That Petitioners desire said land to be annexed to the City of Tontitown, Washington County, Arkansas, and that the person authorized to act on their behalf is Gary Wilf, one of the petitioners.

4. That Petitioners request that the Court set a date for the hearing on the Petition, and upon final hearing, the Court enter an order granting the Petition and annexing the territory described herein.

WHEREFORE, Petitioners pray that the land described herein be annexed to the City of Tontitown, Arkansas, and that the Court set a date for the hearing on the Petition and that upon final hearing the Court enter an Order granting the Petition and annexing the Territory described herein.

PETITIONERS:

Gary Wilf
GARY WILF

Martha Wilf
MARTHA WILF

Park Waldrup
PARK WALDROUP

Amy Waldrup
AMY WALDROUP

William Lee
WILLIAM LEE

Carla Lee
CARLA LEE

MARY JEFFERS

John Stout
JOHN STOUT

Jean Stout
JEAN STOUT

Robert Hodges
ROBERT HODGES

Carolyn Hodges
CAROLYN HODGES

Richard D. Roberts Sr.
RICHARD ROBERTS SR.

Alma Beard Roberts
ALMA ROBERTS

Samuel Lyons
SAMUEL LYONS

Donna D. Lyons
DONNA LYONS

Johnny Wolf
JOHNNY WOLF

Shelley Wolf
SHELLEY WOLF

Michael Lawrence
MICHAEL LAWRENCE

Rose Lawrence
ROSE LAWRENCE

Don Michael
DON MICHAEL

Jenny Michael
JENNY MICHAEL

Charles Gray
CHARLES GRAY

Sharon Gray
SHARON GRAY

Calvin D. Long
CALVIN LONG

Arvis C. Long