

ORDINANCE NO. 141

AN ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF TONTITOWN ARKANSAS; AND MAKING A PART OF THE CITY OF TONTITOWN; AND DECLARING AN EMERGENCY.

WHEREAS, petition was filed with the County Clerk of Washington county, Arkansas by the majority of the real estate owners of the hereinafter described territory praying that said territory be annexed to and made a part of the City of Tontitown, Arkansas, and;

WHEREAS, on the 19th day of January, 2000, the County Court of Washington County Arkansas found that the petition was signed by a majority of the real estate owners in said territory; that said territory was contiguous and adjoining the present corporate limits of the City of Tontitown, Arkansas; that an accurate plat or map of said territory had been filed with and made a part of said petition; that proper notice had been given for the time and in the manner prescribed by law, and that said lands and territory should be annexed to and made a part of the City of Tontitown, Arkansas, subject to the acceptance of same by the City Council of said city at the proper time as provided by law, and;

WHEREAS the time fixed by law for appealing from said order of annexation made by the County court has expired and no appeal has been taken from said order.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TONTITOWN, ARKANSAS;

SECTION 1. The following described lands and territory contiguous and adjoining the City of Tontitown, Arkansas be and the same is hereby accepted as part of and annexed to and made a part of the City of Tontitown and zoned as A-1 Agricultural.

PART OF SECTIONS 25, 26 AND 35 TOWNSHIP 18 NORTH AND RANGE 31 WEST BEGINNING AT THE SW CORNER SECTION 25. THENCE EAST TO THE SE CORNER OF THE SW1/4, SW1/4 SECTION 25, THENCE NORTH TO A POINT 289 YARDS SOUTH OF THE NE CORNER SW1/4, SW1/4 SECTION 25, THENCE WEST 107 1/5 YARDS, THENCE NORTH TO THE CENTERLINE COUNTY ROAD 904 (AKA ARDEMAGNI ROAD), THENCE WEST WITH SAID CENTERLINE TO THE WEST LINE SECTION 25, THENCE NORTH TO THE NE CORNER OF THE SE1/4, SE1/4 SECTION 26, THENCE WEST TO THE NW CORNER OF THE SW1/4, SE1/4 SECTION 26, THENCE SOUTH TO THE SW CORNER OF THE SW1/4, SE1/4 SECTION 26, THENCE WEST TO THE NW CORNER OF THE NE1/4, NW1/4 SECTION 35, THENCE SOUTH TO A POINT 26 RODS SOUTH OF THE NW CORNER OF THE NE1/4, SW1/4 SECTION 35, THENCE EAST 50 RODS, THENCE SOUTHEASTERLY 42 RODS AND 13 FEET TO THE EAST LINE OF THE SW1/4 SECTION 35. SAID POINT BEING 6 RODS AND 12 FEET NORTH OF THE SE CORNER OF THE NE1/4, SW1/4 SECTION 35, THENCE NORTH TO THE SE CORNER OF THE NE1/4, NW1/4 SECTION 35, THENCE EAST TO THE SE CORNER OF THE NE1/4, NE1/4 SECTION 35, THENCE NORTH TO THE POINT OF BEGINNING. APPROXIMATELY 287.20 ACRES.

SECTION 2. The City council determines that an emergency exists and this Ordinance, being necessary for the preservation of the health, safety, and welfare of the citizens of Tontitown, Arkansas, shall be in effect from and after its approval, passage, publication and the recording of a certified copy thereof with the Recorder of Washington County, Arkansas.

PASSED AND APPROVED this 1st day of February, 2000.



ATTEST:

Frances Franco
RECORDER/TREASURER

Daniel L. Watson
MAYOR

WASHINGTON CO AR
K. HARNES

FEB 2 AM 10 04

FILED FOR RECORD

2000008243

IN THE COUNTY
COURT OF WASHINGTON COUNTY, ARKANSAS

JOHNNIE J. and ESTHER M. GREEN,
JOSEPHINE GREEN, TRUST,
GUY J. and VIRGINIA BARIOLA, TRUST,
KELLY E. and TRACY CLARK,
MICHAEL and REBECCA PENZO,
ARTHUR E. and JOYCE E. PENZO,
LLOYD BARIOLA,
A & A FARMS, INC.,
DONALD W. and HELEN K. ALLEN

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:

Part of Sections 25, 26 and 35 Township 18 North and Range 31
West Beginning at the SW Corner Section 25.
Thence East to the SE Corner of the SW $\frac{1}{4}$, SW $\frac{1}{4}$ Section 25,
Thence North to a Point 289 Yards South of the NE Corner SW $\frac{1}{4}$, SW $\frac{1}{4}$
Section 25,
Thence West 107 $\frac{1}{5}$ Yards,
Thence North to the Centerline County Road 904 (AKA Ardemagni
Rd.),
Thence West with said Centerline to the West Line Section 25,
Thence North to the NE Corner of the SE $\frac{1}{4}$, SE $\frac{1}{4}$ Section 26,
Thence West to the NW Corner of the SW $\frac{1}{4}$, SE $\frac{1}{4}$ Section 26,
Thence South to the SW Corner of the SW $\frac{1}{4}$, SE $\frac{1}{4}$ Section 26,
Thence West to the NW Corner of the NE $\frac{1}{4}$, NW $\frac{1}{4}$ Section 35,
Thence South to a point 26 Rods South of the NW corner of the
NE $\frac{1}{4}$, SW $\frac{1}{4}$ Section 35,
Thence East 50 Rods,
Thence Southeasterly 42 Rods and 13 Feet to the East Line of the
SW $\frac{1}{4}$ Section 35. Said Point Being 6 Rods and 12 Feet North
of the SE Corner of the NE $\frac{1}{4}$, SW $\frac{1}{4}$ Section 35,
Thence North to the SE Corner of the NE $\frac{1}{4}$, NW $\frac{1}{4}$ Section 35,
Thence East to the SE Corner of the NE $\frac{1}{4}$, NE $\frac{1}{4}$ Section 35,
Thence North to the Point of Beginning.
Approximately 287.20 Acres

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 "B".
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 Lloyd Bariola, one of the petitioners.
4. That Petitioners request 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.

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.