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Washington County, AR
Bette Stamps Circuit Clerk

File **2004-00027850**

ORDINANCE NO. 180

**AN ORDINANCE ANNEXING CERTAIN PROPERTY INTO
THE CITY OF TONTITOWN, WASHINGTON COUNTY, ARKANSAS**

WHEREAS, on or about the 9th day of March, 2004, a petition was filed with the Washington County, Arkansas Court requesting annexation of certain territory contiguous to the City of Tontitown, Arkansas. Said petition was filed by a majority of the real estate owners owning more than one-half of the property proposed to be annexed, and appointing Bobby Pianalto, Paul Maestri, Mick Wagner, Steve Smith, or David Starkey to act on petitioners' behalf. Said petitioners own the following described property situated in Washington County, Arkansas:

All of Section 14, Township 17 North, Range 31 West, and all of Section 13, Tontitown 17 North, Range 31 West, and all of Section 18, Township 17 North, Range 30 West;

And all of Section 12, Township 17 North, Range 31 West, Washington County, Arkansas, not lying in the City limits of Tontitown, Arkansas;

And all of the Section 7, Township 17 North, Range 30 West lying West of the right-of-way of Arkansas State Highway 112 not lying in the city limits of Tontitown, Arkansas, less and except the following tract including parcel numbers 001-16172-000 and 001-16151-000: A part of the Southwest Quarter of the Southwest Quarter of Section 8, and a part of the Southeast Quarter of the Southeast Quarter of Section 7, all in Township 17 North, of Range 30 West, more particularly described as follows: From the Southwest corner of said Section 8, run thence North 0 degrees 24' 16" West 476.62 feet for the point of beginning, said point being 2 feet South of the top of the South bank of a branch or ravine; thence North 76 degrees 55' West 127.6 feet to a point 2 feet Southwest of the South bank of said branch or ravine; thence North 41 degrees 34' West 39.7 feet to a point 2 feet West of the top of the West Bank of said branch or ravine; thence North 19 degrees 57' West 559.4 feet to a point 2 feet West of the top of the West bank of said branch or ravine; thence North

11 degrees 23' West 253.3 feet to the North line of the Southeast Quarter of the Southeast Quarter of said Section 7 at a point 29 feet West of the top of the West bank of said branch or ravine; thence North 89 degrees 56' East along the North line of said Southeast Quarter of the Southeast Quarter of said Southwest Quarter of the Southwest Quarter 1090.94 feet to the center line of State Highway No. 112; thence along said centerline South 16 degrees 20' East 244.36 feet; thence South 9 degrees 41' East 822.6 feet to a point where said center line intersects the top of the South bank of said branch or ravine; thence along said South bank South 89 degrees 31' West 79.4 feet; thence North 77 degrees 8' West 314 feet; thence North 81 degrees 18' West 168 feet, thence North 72 degrees 8' West 125.4 feet; thence North 67 degrees 50' West 124.5; thence North 75 degrees 26' West 124.3 feet to the point of beginning, containing 22.91 acres, more or less, subject to the right of way of State Highway No. 112 and power line easements as shown on plat.

All of the $W\frac{1}{2}$ of Sections 17 and 8 both lying in Township 17 North, Range 30 West, lying West of the right-of-way of Arkansas Highway 112;

All of the $NW\frac{1}{4}$ of Section 20 Township 17 North, Range 30 West; all of the West $\frac{1}{2}$ of the $SW\frac{1}{4}$ of said Section 20; a part of the $NW\frac{1}{4}$ of the $NE\frac{1}{4}$ of the $SW\frac{1}{4}$ of said Section 20 lying North and West of Clear Creek being known as parcel number 001-16622-000;

And a part of the $NW\frac{1}{4}$ of the $NE\frac{1}{4}$ of said Section 20 known as parcel number 001-16612-000 described as follows: A part of the $NW\frac{1}{4}$ of the $NE\frac{1}{4}$ of Section 20, Township 17 North, Range 30 West, Washington County, Arkansas being more particularly described as follows:

Beginning at the NW corner of said 40 acre tract and running thence East 405 feet; thence South 580 feet; thence S 15° W, 217 feet to the center line of the Johnson Road; thence with the centerline of Johnson Road S $50^{\circ}45'$ W, 161 feet; thence S $66^{\circ}15'$ W, 76.5 feet to a large oak tree; thence S $70^{\circ}30'$ W, 76.8 feet to another large oak tree; thence due West 90.3 feet to the West line of said 40 acre tract; thence with the West line of said 40 acre tract North 946 feet to the point of beginning.

And all of the East $\frac{1}{2}$ of Section 19, Township 17 North Range 30 West and all of the N $\frac{1}{2}$ of the $NW\frac{1}{4}$ of said Section 19; and a tract of land also parcel #001-16603-000 described as a part of the $SE\frac{1}{4}$ of $NW\frac{1}{4}$ and a part of the $NE\frac{1}{4}$ of the $SW\frac{1}{4}$ of Section 19, T-17-N, R-30-W, Washington County, Arkansas, being more particularly described as follows: Beginning at the NE Corner of the $SE\frac{1}{4}$ of the $NW\frac{1}{4}$, thence West 10 chains; thence South 23.37 chains to the centerline of the Clear Creek Valley Road (a/k/a Reed Valley Road a/k/a Washington County Road #893); thence in a Northeasterly direction along the centerline of said road to a point which is 18.48 chains South of the point of beginning; thence North 18.48 chains to the point of beginning, and containing 21 acres, more or less. Subject to the right-of-way of the County Road along the South side thereof; less & except a part of the $SE\frac{1}{4}$ of the $NW\frac{1}{4}$ and a part of the $NE\frac{1}{4}$ of the $SW\frac{1}{4}$ of Section 19, T-17-N, R-30-W, and being

more particularly described as follows; to-wit: Beginning at a point which is 660.00 feet West and 470.32 feet South of the Northeast corner of the Southeast Quarter (SE $\frac{1}{4}$) of the Fractional Northwest Quarter (Frl. NW $\frac{1}{4}$) of said Section Nineteen (19); and running thence South 50 degrees 41' 13" East 232.02 feet; thence South 25 feet 16' 16" East 259.67 feet; thence South 15 degrees 49' 56" East 581.27 feet to the centerline of the county road; thence with the said road centerline South 63 degrees 41' 04" West 66.96 feet; thence 72 degrees 14' 18" West 75.57 feet; South 75 degrees 54' 11" West 174.73 feet; South 76 degrees 22' 05" West 151.76 feet; thence leaving said road centerline North 1072.10 feet to the point of beginning, and containing herein 7.07 acres, more or less; all that portion of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ lying North of the right-of-way of Steele Road; all of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 24, Township 17 North, Range 31 West; all of the S $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 24; and a part of the SE $\frac{1}{4}$ of said Section 24 being parcel numbers 001-17278-001; 001-17293-000; 001-17299-000 described as follows: Tract 1 of the C.O. Steed Survey being a part of NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 24, T-17-N, R-31-W (2.4 acres more or less) as per survey in plat book 6, at page 598, said survey being recorded September 21, 1973 with the Circuit Clerk of Washington County, Arkansas (Being the same lands described in Special Warranty Deed filed in Book 1121, at page 684 of the Deed Records of Washington County, Arkansas.)

Also:

A part of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 24, T-17-N, R-31-W, Washington County, Arkansas described as beginning at the NW corner of the said NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ and running thence N89°37'41" E, 234.57 feet; thence S00°40'36" W, 932.97 feet to a spike in the centerline of County Road; thence along said road centerline, S50°57'46" W, 25.08 feet; thence S56°36'06" W, 246.87 feet to the intersection of said centerline of the county road with the West line of said NE $\frac{1}{4}$ of the SE $\frac{1}{4}$; thence North with the West line of said NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ to the point of beginning. (being the same lands described in correction Warranty Deed filed in Book 1080, at page 01 of the Deed Records of Washington County, Arkansas.)

Also:

A part of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ and a part of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 24, T-17-N, R-31-W, and being more particularly described as follows: Beginning at a point which is N89°37'41" E, 56.0 feet from the NW corner of said NE $\frac{1}{4}$, SE $\frac{1}{4}$ and running thence N02°14'21" W, along an existing fence, 620.31 feet; thence N84°27'44" E, 458 feet; thence S12°16'39" E, along the centerline of a ravine, 551.25 feet; thence S 14°33'00" E, along the centerline of a ravine, 335.12 feet; thence S09°50'05" E, along a ravine centerline, 424.19 feet to the centerline of existing county road; thence along said road centerline, S83°50'30" W, 136.58 feet; S 54°48'21" W, 299.98 feet; S50°57'46" W, 194.57 feet; thence leaving said Road N00°17'53" E, along an existing fence, 927.90 feet; thence S89°37'41" W, along an existing fence, 178.57 feet to the point of beginning. Containing 15.79 acres, more or less. Subject to that

portion in County Road right of way on the South side of herein described tract. (being the same lands described in Warranty Deed filed at book 1316, at page 378, of the Deed records of Washington County, Arkansas.)

And a part of the SW $\frac{1}{4}$ of said Section 24 known as parcel numbers 001-17284-001; 17284-002; 17291; 17288; respectively;

A part of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 24, Township 17 North, Range 31 West, Washington County, Arkansas, more particularly described as follows: Beginning at a point that is N01°13'11" W, 909.89 feet from the SE corner of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$; thence N80°30'58" W, 805.51 feet to a point in a fence that is at or near the toe of a hill; thence with said fence N24°42'48"E, 295.45 feet; thence leaving said toe of hill N89°13'49" E, 662.30 feet; thence S01°13'11"E, 410.11 feet to the point of beginning, containing 5.75 acres more or less.

17284.002

A part of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 24, T-17-N, Range 31 West, Washington County, Arkansas, described as follows: beginning at a point N01°02'24" W, 526.70 feet and West 258.90 feet from the SE corner of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 24 and running thence S66°11' W, 280.30 feet; thence N78°19' W, 138.86 feet; thence N21°38' W, 178.83 feet to a fenceline; thence along said fenceline N76°56'26" E, 302.70 feet; thence N82°02'E, 102.80 feet along the fence; thence leaving said fence S20°39' E, 175.00 feet to the point of beginning, 1.91 acres more or less.

A part of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 24 and a part of the NW $\frac{1}{4}$ of Section 25, Township 17 North, Range 31 West, more particularly described as follows; Beginning at a point S00°26' W, 1320.00 feet and S89°33'15" W, 661.65 feet from the NE Corner of the said SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 24; thence S00°02' E, 1594.91 feet; thence S86°43'16" W, 66.77 feet; thence N86°28'24" W, 123.30 feet; thence N84°25'07" W, 53.77 feet; thence N67°39'23"W, 449.81 feet; thence N01°26'36" W, 761.40 feet; thence N89°33'15" E, 421.11 feet; thence N1511.30 feet to the centerline of a County road; thence along said centerline N75°50'34" E, 121.74 feet; thence N63°31'50" E, 302.66 feet; thence N76°32'48" E, 15.78 feet; thence S00°26' W, 1080.54 feet to the point of beginning.

Also a part of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 24, Township 17 North, Range 31 West, Washington County, Arkansas, described as follows: beginning at the intersection of the Public Road and the South line of the said 40 acre tract; thence East 17.56 chains; thence North 20 chains; thence West 10.66 chains to the foot of a hill and running with the foot of the hill S24°W, 13.37 chains; thence South 20° W, 3.70 chains; thence S 14° W, 0.81 chain to the public road; thence with said road S01°30' W, 3.33 chains to the point of beginning.

And a part of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ and a part of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 24, Township 17 North, Range 31 West, Washington County, Arkansas, described as follows: beginning at the intersection of County road 893 and the East line of the

NW¼ of the SW¼ of said Section 24; thence S68°17'51" W, 886.22 feet to the point of beginning being the SW corner of Tract 7 as per the C.O. Steed Survey on file in survey book 6 at page 598; thence N00°13'24" E, 353.84 feet; thence N13°49'17" E, 238.52 feet; thence N28°07'59" E, 67.38 feet; thence N03°20'21" E, 158.47 feet; thence N05°38'28" W, 109.58 feet; thence N19°03'35" W, 206.03 feet; thence N02°27'22" E, 207.71 feet; thence N00°24'35" W, 139.12 feet to the North line of the NW¼ of the SE¼; thence West to the NW corner of said 40 acre tract; thence South to the intersection of the West line of said 40 acre tract and County road 893; thence East to the point of beginning.

And a part of the NW¼ of the SE¼ of Section 24, Township 17 North, Range 31 West, Washington County, Arkansas lying East of Tamarac Road a/k/a Washington County Road 3811 and West of the East line of the said 40 acre tract.

All of the NW¼ of Section 24, Township 17 North, Range 31 West, Washington County, Arkansas;

And a part of the NE¼ of the SE¼ of Section 23, and a part of the NW¼ of the Southwest Quarter of Section 24 all in Township 17 North, Range 31 West, Washington County, Arkansas, described as follows: Beginning at the NW corner of the NE¼ of the SE¼ of said Section 23 thence S89°58' E, 2182.97 feet to the centerline of a county road; thence along said centerline S27°30' W, 134.47 feet; thence S34°46' W, 404.08 feet; thence S31°42' W, 303.88 feet; thence S29°55' W, 549.41 feet; thence N89°58' W, 1456.76 feet to the point of beginning. Less and Except the following described tract being a part of the NE¼ of the SE¼ of Section 23, and a part of the NW¼ of the Southwest Quarter of Section 24 all in Township 17 North, Range 31 West, Washington County, Arkansas, described as follows: Beginning at a point 483 feet South of the NW corner of the NE¼ of the SE¼ of said Section 23 and running thence S83°22' E, 1775.75 feet; more or less to the centerline of a County Road; thence S31°42' W along said centerline 63 feet; thence S29°55' W along said centerline 549.41 feet; thence N89°58' W, 1456.76 feet to the West line of the NE¼ of the SE¼; thence North 703.7 feet to the point of beginning.

All of the N½ of Section 23, Township 17 North, Range 31 West; all of the N½ of the NW¼ of the SE¼ of said Section 23; Also a tract of land known as parcel number 001-17264-000 described as follows: Part of the SW¼ of Section 23, Township 17 North, Range 31 West, Washington County, Arkansas, being more particularly described as follows: Beginning at the West Quarter corner of said Section 23, said point being an aluminum state monument, thence S89degrees 29'20" E 1317.25 feet, thence S89degrees30'13" E 1317.85 feet, thence 0 degrees11'31" E 1283.28 feet to a set iron pin, being the SE corner of the NE¼ of the SE¼ of said Section 23, thence S89degrees58'43" W 258.97 feet to the East boundary of Lot 4 of Red Oaks Country Estates Phase I; thence along the exterior boundary of said subdivision N4degrees26'59" W 330.27 feet to a found iron pin, S83degrees49'25" W 697.66 feet to a found iron pin, N29degrees37'52" W 310.90 feet to a set iron pin, S

13degrees57'11" W 128.60 feet to a found iron pin, said point being on the centerline of N 60 foot access easement thence along said centerline N74degrees33'48" W 527.24 feet to a set iron pin, thence leaving the boundary of said subdivision and continuing along the centerline of the easement as follows: N68degrees59'00" W 378.80 feet to a found iron pin, N40degrees20'19" W 139.55 feet to a found iron pin, N65degrees54'14" W 357.51 feet to a found iron pin, N86degrees18'14" W 114.06 feet to a found iron pin, S85 degrees39'09" W 80.47 feet to a set iron pin on the western line of Section 23, thence N 0degrees34'33" W 377.13 feet to the point of beginning, containing 49.36 acres, and subject to any other easements of record or fact;

And a tract of land known as 001-17264-002 described as follows: A part of the southwest quarter (SW¼) of the section twenty-three (23), Township seventeen (17) North, Range Thirty-one (31) West, more particularly described as beginning at the Southwest corner of said section 23, said point being a stone marker; thence along the Western boundary of said section 23, North 02degrees20'40" West 2266.42 feet to the centerline of a 60 foot access easement; thence along said centerline North 83degrees46'27" East 80.38 feet; S 87°54'11" E, 114.19 feet; thence S67°36'50" E, 357.51 feet; thence South 42degrees2'55" East 139.55 feet; and South 70degrees41'36" East 378.80 feet to a found iron pin at the Northwest corner of Red Oaks Country Estates Phase I; thence along the West boundary of said Phase I, South 03degrees11'54" West 558.11 feet to a found iron pin; thence S14°34'19" W, 415.49 feet; thence South 30degrees41'50" 340.68 feet to an iron pin; South 10degrees58'12" West 224.98 feet to an iron pin, South 10degrees56'01" West 425.05 feet to a found iron pin; said point being on the South boundary of the said Section 23; thence South 88degrees16'37" West 450.00 feet to the point of beginning, containing 36.88 acres, more or less, Washington County, Arkansas.

The complete above-described tracts contains 4,119.68 acres more or less.

WHEREAS, by order of annexation of the Washington County, Arkansas Court filed the 13th day of April, 2004, the described property was annexed into the City of Tontitown, Washington County, Arkansas; and

WHEREAS, the property is contiguous to land already situated in the City of Tontitown, Arkansas;

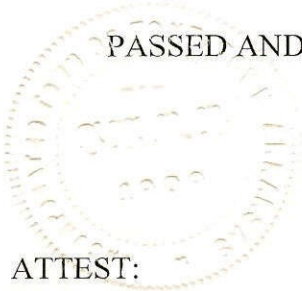
NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF TONTITOWN, ARKANSAS:

Section 1: That the above-described real property is hereby annexed into the City of

Tontitown, Washington County, Arkansas, pursuant to Ark. Code. Ann. Section 14-40-601, *et seq.*

Section 2: That this ordinance shall be mailed to the recorder of deeds of Washington County, Arkansas, as well as the Secretary of the State of Arkansas, to show the above described property now located within the City of Tontitown, Washington County, Arkansas.

PASSED AND APPROVED this 1st day of June, 2004.



Daniel R. Watson
Daniel R. Watson, Mayor

ATTEST:

Frances Franco
Frances Franco, City Recorder/Treasurer

APPROVED AS TO FORM:

R. Jeffrey Reynerson, City Attorney

Names Of Those Voting YEA

Kenneth Green
Leon Zulpo
Arthur Penzo
Henry Piazza
Vanessa Sbanotto

Names Of Those Voting NAY

None

Absent:

Kenneth Robertson