

ORDINANCE NO. 2012-09-394

KAREN COOPER, CLERK
003 PROBATE CLERK
WASHINGTON COUNTY

2012 SEP 12 PM 3:37

FILED

AN ORDINANCE SUBMITTING TO THE VOTERS OF THE CITY OF TONTITOWN, ARKANSAS, AND OTHER AFFECTED PERSONS, THE QUESTION OF ANNEXATION TO SAID CITY OF TONTITOWN CERTAIN CONTIGUOUS TERRITORY; AND DECLARING AN EMERGENCY

WHEREAS, it appears to the City Council of the City of Tontitown, Arkansas, that the annexation of certain hereinafter described territory, contiguous to the City of Tontitown, is necessary for the orderly growth and development of the City; and

WHEREAS, the lands furnish the abode for a densely settled community or represent the actual growth of the municipality beyond its legal boundary; are platted and held for sale or use as municipal lots, or whether platted or not, the lands are held to be sold as suburban property; are needed for proper municipal purposes; or are valuable by reason of their adaptability for prospective municipal uses.

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

SECTION 1. That the question of annexation shall be submitted to the qualified electors of the City of Tontitown and of the area described as follows:

All unincorporated territory in the S ¼ of S26, T18N, R31W in Washington County, AR, more particularly described as follows:

Beginning at a point on the Tontitown city limit line, same being the NE corner of the SE ¼ of the SW ¼ of S26, T18N, R31W; thence west to the NW corner of the SE ¼ of the SE ¼ of S27, T18N, R31W; thence south to the NE corner of the SE ¼ of the SW ¼ of the SE ¼ of S27, T18N, R31W; thence east to the east boundary line of said S27; thence south to the south line of said S27; thence east to the SE corner of the SW ¼ of S26, T18N, R31W; thence north to the P.O.B.

A map depicting this area is on file for public review at City Hall, and shall be filed as required by law.

SECTION 2. The question of annexation of the territory described in Section 1 above shall be submitted to the electors qualified to vote on this issue at a special election to be held on Tuesday, December 11, 2012. Immediately after this ordinance is duly passed and published, the City Clerk shall notify the County Election Commission and the County Clerk by forwarding to each, a certified copy of this ordinance and a map showing the area to be annexed.

SECTION 3. The City Clerk shall give notice of the election by publication by at least one (1) insertion in some newspaper having a general circulation in the City.

SECTION 4. If at such election a majority of the qualified electors voting in such election shall vote for such annexation, the annexation shall be effective and the territory included within the corporate limits of the City of Tontitown thirty (30) days following the County Clerk's certification of the election results and recording of the same, along with the description and a map of the annexed area, in the county records, and filing a certified copy thereof with the Secretary of State; or in the event an action is filed with the Circuit Court, on the date the judgment of said Court becomes final. If a majority of the qualified electors voting on the issue at the election vote against the annexation, the annexation ordinance shall be null and void.

SECTION 5. If the annexation is approved and becomes final, the following services shall be extended to the area within three (3) years:

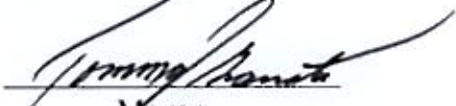
SERVICE	DATE
Code Enforcement	Immediately
Sanitation Service	Immediately
Street Maintenance	Immediately
Police Protection	Immediately
Fire Protection	Immediately

SECTION 6. The ballots used at said election on the question of annexation shall be marked as follows:

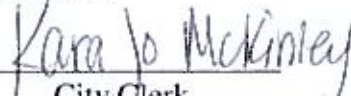
- FOR annexation of the territory described in Ordinance No. 2012-09-394
- AGAINST annexation of the territory described in Ordinance No. 2012-09-394

SECTION 7. Emergency Clause. This ordinance being necessary for the immediate preservation of the public peace, health, safety, and welfare, as well as compliance with special election statutes, an emergency is hereby declared to exist and this ordinance shall be effective and in full force and effect from and after its passage and approval.

PASSED AND APPROVED THIS 4th DAY OF September, 2012.


Mayor

ATTEST:


City Clerk

CERTIFICATE

I, Karla McKinley, City Clerk of the City of Tontitown, hereby certify that this ordinance was duly passed and approved by a two-thirds vote of the total number of members the City Council of the City of Tontitown, Arkansas, on the 4 day of SEPTEMBER, 2012.

Seal

Karla McKinley
City Clerk
City of Tontitown

Proposed Tontitown Annexation - Plan 1

Springdale

Elm Springs

Tontitown

Area to be Annexed

Legend:

- County Boundary
- S-T-R
- Quarter Section
- Proposed Annexation
- Roads

