

ORDINANCE NO. 0-89-12

AN ORDINANCE ANNEXING CERTAIN LANDS THAT ARE COMPLETELY SURROUNDED BY THE INCORPORATED LIMITS OF THE CITY OF CONWAY; DECLARING AN EMERGENCY AND FOR OTHER PURPOSES:

WHEREAS, Act 314 of 1979 provides that unincorporated islands of land that have been completely surrounded by the incorporated limits of a municipality may be annexed by that municipality; and

WHEREAS, the City of Conway desires to annex certain lands more completely described below; and

WHEREAS, all necessary urban services, such as fire and police protection, are to be extended to such area within a reasonable period of time; and

WHEREAS, the area to be annexed complies with the standards for lands qualifying for annexation which are set forth in Arkansas Stat. Ann. 19-307.1 and Act 314 of 1979; and

WHEREAS, a public hearing was held on March 20, 1989, regarding this proposed annexation; and

WHEREAS, a legal notice was published on February 26 and March 5, 1989, setting out the legal description of the territory proposed to be annexed and all property owners within the area were notified by certified mail of their right to appear at the public hearing.

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

SECTION 1. That the incorporated limits of the City of Conway has completely surrounded the following described parcels of real estate, and said unincorporated areas are described on Exhibit A which is attached hereto and incorporated by reference as set out word for word herein.

SECTION 2: That the above described lands and territories be and the same are declared to be a part of the City of Conway, Faulkner County, Arkansas and said parcels shall be zoned and assigned to wards as described on Exhibit B attached hereto and incorporated herein by reference as set out word for word herein.

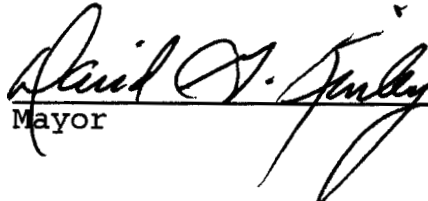
SECTION 3: All necessary urban services, such as police and fire protection, shall be extended to such area within a reasonable time.

SECTION 4: That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of that conflict.

SECTION 5: That it is ascertained and declared that it is necessary for the public peace and welfare of the citizens of the City of Conway, Arkansas, an emergency is hereby declared to exist and this ordinance shall take effect and be in force from and after its passage and publication.

PASSED this 9th day of May, 1989.

APPROVED :



Mayor

ATTEST :



City Clerk

EXHIBIT A
Property Description Of "Islands" To Be Annexed
February 1989

Parcel 1: Part of the West $\frac{1}{2}$ of Section 8, T5N, R13W, Faulkner County, Arkansas and described as beginning at the Southwest Corner of said West $\frac{1}{2}$ of Section 8; Thence running North along the West line of Section 8 approximately 2240 feet to a point which is 400 feet South of the Northwest Corner of the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 8; Thence run East 500 feet to a point; Thence run North 400 feet to a point on the North line of said Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ which is a distance of 500 feet East of said Northwest Corner of the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$; Thence run East along said North line 160 feet to the Southeast Corner of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 8; Thence run North 660 feet to the Northeast Corner of said Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$; Thence run West along the North line of said Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ 205 feet to a point on the West Right Of Way of Interstate 40; Thence run Northwestwardly along said West Right Of Way of Interstate 40 685 feet to a point on the West line of said Section 8; Thence run North along said West line approximately 149 feet to the Northwest Corner of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 8; Thence run East 660 feet to the Northeast Corner of the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$; Thence run South 443.04 feet to a point on the East Right Of Way of Interstate 40; Thence run South 41 degrees 44 minutes 37 seconds East 259.2 feet along said East Right Of Way; Thence continue along said East Right Of Way South 42 degrees 37 minutes 23 seconds East 408.42 feet to a point; Thence run North 0 degrees 3 minutes 6 seconds East 943.36 feet to a point on the North line of said Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 8; Thence run East along said North line approximately 208 feet to the Northeast Corner of said Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$; Thence run North along the East line of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ approximately 1145 feet to a point 175 feet South of the Northeast Corner of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$; Thence run East parallel to the North line of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 8 902 feet to a point; Thence run South 243 feet to a point; Thence run South 55 degrees East 251 feet to a point; Thence run East 209 feet to a point on the East line of said West $\frac{1}{2}$ of Section 8, which point is 2082 feet North of the Southeast Corner of the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$; Thence run South 2082 feet to said Southeast Corner; Thence continue along said East line South 0 degrees 4 minutes 38 seconds East 1322.42 feet to the Southeast Corner of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 8; Thence run North 89 degrees 43 minutes 14 seconds West along the South line of said Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ 774.05 feet to a point on the East Right Of Way of Interstate 40; Thence run South 10 degrees 23 minutes 9 seconds East along said East Right Of Way 86.96 feet; Thence continue along said East Right Of Way South 1 degree 16 minutes 35 seconds West 526.51 feet; Thence continue along said East Right Of Way South 9 degrees 42 minutes West 472.78 feet; Thence continue along said East Right Of Way South 20 degrees 11 minutes 34 seconds West 272.67 feet to a point on the South line of the West $\frac{1}{2}$ of Section 8; Thence run West along said South line of Section 8 approximately 1663 feet to the point of beginning. Containing 221.36 Acres more or less.

Parcel 2: Part of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ and part of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 17, T5N, R13W, Faulkner County, Arkansas and described as beginning at a point on the North line of said Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ a distance of 1015 feet East of the Northwest Corner of said Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$; Thence run East along said North line 361.5 feet; Thence run South 361.5 feet; Thence run West 361.5 feet; Thence run North 361.5 feet to the point of beginning. Containing 3 Acres more or less.

EXHIBIT B

Zoning of land being annexed to the City of Conway in April of 1989, that being inincorporated islands of land completely surrounded by the incorporated limits of the municipality of Conway, Arkansas:

The following zoning designations shall be assigned to the described properties. Parcels 1 and 2 refer to the property descriptions in Exhibit A:

A-1 Agricultural District

All of Parcel 2.

That part of Parcel 1 lying in the Northwest 1/4 of Section 8 of Township 5 North, Range 13 West which is Northeast of the Interstate 40 right-of-way and also East and Northeast of Lachowsky Subdivision.

R-2 Two Family Residential District

Part of the Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4) of Section Eight (8), Township Five (5) North, Range Thirteen (13) West more particularly described as follows: Beginning at the southwest corner of said SE 1/4 SW 1/4 and run thence from thence north 6.21 chains to the south boundary of Caney Road; thence south 59 degrees east 3.78 chains along the south boundary line of said Caney Road; thence south 4 degrees east 4.26 chains along west side of private road; thence west 3.53 chains to the point of beginning, containing 1.43 acres, more or less.

I-3 Intensive Industrial District

That part of Parcel 1 lying West of the Interstate 40 right-of-way, less and except the property described above as being zoned R-2 Two Family Residential District.

C-3 Highway Service District

That part of Parcel 1 lying in the Southwest 1/4 of the Northwest 1/4 of Section 8 of Township 5 North, Range 13 West which is northeast of the Interstate 40 right-of-way and also West and South of Lachowsky Subdivision.

That part of Parcel 1 lying in the Northeast 1/4 of the Southwest 1/4 of Section 8 of Township 5 North, Range 13 West which is East of the Interstate 40 right-of-way,

Ward Assignment - Parcels #1 & #2 are hereby assigned to Ward #4 of the City of Conway.

CERTIFICATE OF RECORD

STATE OF ARKANSAS }
COUNTY OF FAULKNER } SS

I, SHARON RIMMER, Circuit Clerk and Ex-Officio Recorder with and for the court and state aforesaid, hereby certify that the annexed and foregoing instrument of writing was filed for record in my office on the 25th day of May, 19 89, at 4:30 o'clock P. M. and the same is now duly recorded, with acknowledgement and certificate thereon in, Deed Record Book 429, Page 598.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said Court this 26th day of May, 19 89.

SHARON RIMMER, Clerk

Sharon Rimmer