

CITY OF AUSTIN, LONOKE COUNTY, ARKANSAS

ORDINANCE No. 03-2011

AN ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF AUSTIN, LONOKE COUNTY, ARKANSAS, AND MAKING SAME A PART OF THE CITY OF AUSTIN, ARKANSAS, AND ASSIGNING SAME TO WARDS; DECLARING AN EMERGENCY, AND FOR OTHER PURPOSES.

WHEREAS, a Petition was filed on the 28<sup>th</sup> day of September, 2009, with the County Clerk of Lonoke 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 Austin, Arkansas; and

WHEREAS, on the 23<sup>rd</sup> of December, 2009, the County Court of Lonoke 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 Austin, Arkansas; that an accurate plat or map of said territory had been made a part of the file; that proper notice had been given for the time and in the manner prescribed by law, and that all things pertaining thereto had been done in the manner prescribed by law, and that said lands and territory should be annexed to and made a part of the City of Austin, Arkansas, subject to the acceptance of the 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 said Order of Annexation made by the County Court has expired and no valid appeal has been taken from said Order.

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

Section 1. That the following described lands and territory contiguous and adjoining the City of Austin, Arkansas, be and the same is hereby accepted as part of and annexed to and made a part of the City of Austin, Arkansas:



PART OF THE SOUTHWEST QUARTER OF SECTION 8, T-4-N, R-9-W, LONOKE COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION 8, T-4-N, R-9-W; THENCE N 89°25'28"W, 269.68 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N 89°25'28"W, 1241.41 FEET; THENCE N 00°41'22"E, 1329.33 FEET; THENCE N 89°33'42"W, 464.66 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF THE UNION PACIFICA RAILROAD; THENCE N43°29'58"E ALONG SAID RIGHT-OF-WAY LINE 105.33 FEET; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE N42°57'36"E, 1003.62 FEET; THENCE LEAVING SAID RIGHT-OF-WAY LINE S69°36'22"E, 1311.08 FEET; THENCE S 00°51'53"W, 350.00 FEET; THENCE S89°58'45"W, 292.99 FEET; THENCE S00°13'49.18 FEET TO THE POINT OF BEGINNING, CONTAINING 61.30 ACRES.

Section 2. That the above-described territory shall be annexed to and made a part of Ward 3 of the City of Austin, Arkansas, and the same shall henceforth be a part of said ward as fully as existing parts of said ward.

Section 3. Emergency. Whereas, the proper use of and the annexation of lands is of great importance to the City of Austin, Arkansas, and this Ordinance being necessary for the immediate protection of the public health and safety, an emergency is hereby declared to exist and this ordinance shall be in full force and effect from and after its passage.

Passed:


Date:

Approved:

  
Mayor Bernie Chamberlain

Approved as to Form:

  
Greg Crumpton, City Attorney

  
Attest: Mary Ann Davis, City Clerk

CHARITY DULIN  
NOTARY PUBLIC-STATE OF ARKANSAS  
LONOKE COUNTY  
My Commission Expires 2-10-2014

Charity Dulin  
exp 2/10/2014