ORDINANCE 2004-09

AN ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF MULBERRY, ARKANSAS, AND MAKING SAME A PART OF THE CITY OF MULBERRY, ARKANSAS, AND ASSIGNING SAME TO WARDS AND ISSUING ZONING FOR SAID PROPERTY.

WHEREAS, Petition was filed with the County Clerk of Crawford 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 Mulberry, Arkansas; and

WHEREAS, on October 11, 2004, the County Court of Crawford County, Arkansas, found that said territory was contiguous and adjoining the present corporate limits of the City of Mulberry, 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 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 Mulberry, 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 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 MULBERRY, ARKANSAS:

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

The Southwest Quarter (SW ¼) of the Southwest Quarter (SW ¼) of Section 29, Township 10 North, Range 29 West, in Crawford County, Arkansas, containing 40 acres, more or less,

And

The Northwest Quarter (NW ¼) of the Northwest Quarter (NW ¼) of Section 32, Township 10 North, Range 29 West, In Crawford County, Arkansas, containing 40 acres, more or less.

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

SECTION 3. That the above described territory shall be annexed and issued zoning as Industrial –1 (I-1).

SECTION 4. All ordinances or parts of ordinances in conflict here with are hereby repealed.

SECTION 5. If any provision of this ordinance is held invalid or unconstitutional that provision shall be deemed severable and separable and the remaining provisions shall remain in full force and effect.

PASSED AND APPROVED THIS 23rd DAY OF NOVEMBER 2004.

APPROVED: _____
Jeff Marvin, Mayor

ATTEST: _____
Jerry Dickerson, Recorder-Treasurer