ORDINANCE NO. 86-8

AN ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF MULBERRY, ARKANSAS, AND MAKING THE SAME A PART OF THE CITY OF MULBERRY, AND ASSIGNING SAME TO WARDS AND ZONES, AND DECLARING AN EMERGENCY.

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 the 26th day of September, 1986, the County Court of Crawford 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 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 same by the City Council of said City at the proper time, as provided by law; and

WHEREAS, certain property owners in the area to be annexed have requested that all or part of their property be zoned Commercial - 2.

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 is hereby accepted as part of and annexed to and made a part of the City of Mulberry, Arkansas.

A part of the South Half (S½) of Section 20, part of the South Half (S½) of Section 21, part of the South Half (S½) of the Northeast Quarter (NE¼) of Section 21, part of the Northwest Quarter (NW¼) of Section 29, the North Half (N½) of the Northeast Quarter (NE¼) of Section 29, and the North Half (N½) of the North Half (N½) of Section 28, all in Township 10 North, Range 29 West, Crawford County, Arkansas. More particularly described as follows:

Beginning at the southeast corner of said N½ of the N½ of Section 28; thence West 8,500 feet more or less along the south line of said N½ of the N½, the south line of said N½ of the NE¼ of Section 29 and the south line of the NE¼ of the NW¼ of said Section 29 to the centerline of a county road; thence southwesterly 1,550 feet more or less along said centerline to a point on the east line of the W½ of the W½ of said NW¼ of Section 29; thence North 1000 feet more or less along said east line to the southerly right-of-way of Interstate Highway 40; thence northeasterly 10,800 feet more or less along said southerly right-of-way to the east line of said S½ of the NE¼ of Section 21; thence South 4,700 feet more or less along the east line of said S½ of the NE¼, the east line of said S½ of Section 21 and the east line of said N½ of the N½ of Section 28 to the Point of Beginning. Containing 643 acres more or less.

SECTION 2. That the above described territory shall be annexed to and made a part of Ward III 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 all of the above described area be zoned Residential - I, except all the property owned by Mr. Charles Cagle and lying north of Old Wire Road and joining the south right-of-way of Interstate 40; and a portion of the adjoining property on the east, owned by Mr. Robert F. Whitlock, and lying south of Interstate - 40 and joining the south right-of-way of said interstate running 600 feet east from the east boundary of the Cagle property, and 100 feet wide, being parallel to the south right-of-way of Interstate - 40; which shall be zoned Commercial - 2.

SECTION 4. Because this area is in need of all necessary urban services, such as police and fire protection, and this is necessary for the public peace, health, safety and welfare, an emergency is declared to exist. Therefore, this ordinance shall be in full force and effect from and after the date of the passage.

PASSED AND APPROVED THIS 7th DAY OF OCTOBER, 1986.

APPROVED:

Arnold D. Feller

Arnold D. Feller, Mayor

ATTEST:

Joe Benham

Joe Benham, Recorder - Treasurer

Section #3
AMENDED BY
ORD. # 98-3
DATE 7-7-98