

ORDINANCE NO. 93-03

AN ORDINANCE ANNEXING PROPERTY CONTIGUOUS THEREWITH TO THE CITY OF LAKEVIEW, ARKANSAS; ACCEPTING THE ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF LAKEVIEW, ARKANSAS, AND TO ANNEX PROPERTY TO THE CITY OF LAKEVIEW, ARKANSAS, AS RESIDENTIAL R-1.

WHEREAS, a petition was filed with the County Clerk of Baxter County, Arkansas, by the real estate owners of the land hereinafter described, praying that said land be annexed to and made a part of the City of Lakeview, Arkansas; and

WHEREAS, on the 27th day of July, 1993, the County Court of Baxter County, Arkansas, found that said petition was signed by all of the fee simple owners of the said property; that the said territory is contiguous to the present corporate limits of the City of Lakeview, Arkansas, that accurate plats or maps of said territory showing its relationship to the present city had been filed and made a part of said annexation petition; that property notice had been given for the time and in the manner prescribed by law; that said lands and territory should be annexed to the City of Lakeview, 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; and

WHEREAS, the same petitioners have petitioned in writing to the City of Lakeview, Arkansas, praying that said property be annexed to the City of Lakeview, Arkansas, for the purposes hereinafter set out; and

WHEREAS, after due notice as required by law, the City Council of the City of Lakeview, Arkansas, has heard all persons desiring to be heard and has ascertained that said petition was signed by all the owners of the real property in said territory; and

WHEREAS, a proper petition was filed by the property owner requesting a zoning; that said petition was submitted to the Planning Commission of the City of Lakeview, Arkansas; that notice of said petition and a public hearing thereon was published in a newspaper having local circulation as required by ordinance; that a public hearing was held; that all remonstrances were heard, after which the Planning Commission recommended that all property described hereinafter be annexed to the City of Lakeview, Arkansas, as residential R-1.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Lakeview, Arkansas:

Section 1. That the following described lands in territory contiguous and adjoining the City of Lakeview, Arkansas, be and the same is hereby accepted and annexed to the City of Lakeview, Arkansas, as residential R-1, to-wit:

Part of the Southeast Quarter of the Northwest Quarter of Section 36, Township 20 North Range 15 West, Baxter County, Arkansas, specifically described as follows:

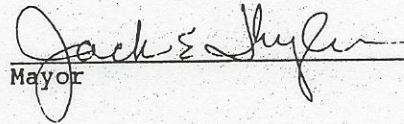
From the Southeast Corner of the SE $\frac{1}{4}$  NW $\frac{1}{4}$  Section 36, the POINT OF BEGINNING of the tract being described, go along the South boundary of said SE $\frac{1}{4}$  NW $\frac{1}{4}$  North 88° 40' 45" West 1165.95 feet to a 3/8 inch rebar; Then go North 01° 03' 42" East 719.45 feet to a 3/8 inch rebar; Then go North 61° 24' 05" East 475.47 feet to a 3/8 inch rebar; Then go North 13° 43' 03" West 223.36 feet to a 3/8 inch rebar; Then go North 43° 12' 54" East 57.83 feet to a spike; Then go South 13° 55' 50" East 274.83 feet to a 3/8 inch rebar; Then go South 81° 47' 41" East 706.88 feet to a 3/8 inch rebar on the East boundary of said SE $\frac{1}{4}$  NW $\frac{1}{4}$ ; Then go South 01° 09' 55" West 865.48 feet to the POINT OF BEGINNING, containing 23.99 acres.

Section 2. Extensions to the existing public utility systems as may now exist may be built to serve the property within the bounds of the above described territory in such manner and with such materials as the law requires. The costs thereof may be assessed upon the real properties hereinabove described as benefits thereto.

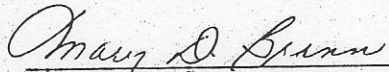
Section 3. There is an immediate need for constructing extensions to existing public utilities as the same now exist, to serve the property within the boundaries hereinabove described. Therefore, an emergency is hereby declared to exist, this ordinance being necessary for preservation of the public health and safety, the same shall be in full force and effect from and after its passage and publication.

PASSED AND APPROVED this 12th day of October, 1993.

APPROVED:

  
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Mayor

ATTEST:

  
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City Recorder