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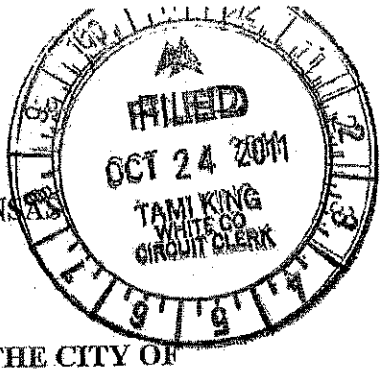

BEFORE THE CITY COUNCIL OF KENSETT, ARKANSAS

ORDINANCE NO: N-2011-8

AN ORDINANCE TO ACCEPT INTO THE CITY LIMITS OF THE CITY OF KENSETT, ARKANSAS, CERTAIN TERRITORY ANNEXED INTO THE Kensett CITY LIMITS BY ORDER OF THE COUNTY COURT OF WHITE COUNTY, DECLARING AN EMERGENCY AND FOR OTHER PURPOSES.

Whereas, Taylor Farms, LLC, an Arkansas Limited Liability Company, Ron Campbell and AHS Affiliated, an Arkansas Limited Liability Company petitioned the County Court of White County, Arkansas, to annex certain properties into the Kensett city limits, and

Whereas, the County Court of White County, Arkansas, on September 14, 2011, entered an order annexing certain properties into the Kensett city limits, and

Whereas, the City Council of the City of Kensett, Arkansas, desires to accept said properties and territory into the city limits of Kensett.

NOW THEREFORE BE IT ORDAINED, by the City Council for the City of Kensett, to-wit:

Section 1. The City Council of Kensett, Arkansas, hereby accepts into the city limits of Kensett, Arkansas, the following described territory:

Taylor Farms: **All of the W½ NE¼ and all of the NW¼ of Section 18, Township 7 North, Range 6 West lying East of Arkansas State Highway # 367, LESS AND EXCEPT Two Tracts:**

Tract A: A part of the NW¼ NW¼ of Section 18, Township 7 North, Range 6 West more particularly described as follows, to-wit: Commencing at the NW Corner of said Section 18 and thence S 89° 29' 34" E along the North line of said Section 18 for a distance of 603.97 feet; thence S 00° 00' 00" E 831.84 feet to the East right of way line of Arkansas State Highway # 367 and for the POINT OF BEGINNING and thence N 43° 48' 22" E along right of way 620.73 feet; thence S 70° 24' 11" E 257.71 feet; thence S 13ë 37' 37" W 509.79 feet to the North right of way line of a new road having a width of 60 feet; thence N 76° 22' 23" W along the new road right of way 568.35 feet back to the Point of Beginning of Tract A with said Tract A containing, 5.00 acres, more or less, and

Tract B: A part of the NW¼ NW¼ of Section 18, Township 7 North, Range 6 West more particularly described as follows, to-

wit: Commencing at the NW Corner of said Section 18 and thence S 89° 29' 34" E along the North line of said Section 18 for a distance of 603.97 feet; thence S 00° 00' 00" E 831.84 feet to a point on the East right of way line of Arkansas State Highway # 367; thence N 43° 48' 22" E along said highway right of way 620.73 feet for the POINT OF BEGINNING; thence N 43° 48' 22" E along said highway right of way 25.00 feet; thence S 70° 24' 11" E 573.04 feet; thence S 43° 48' 22" W 250.00 feet; thence N 70° 24' 11" W 573.04 feet back to the Point of Beginning a Tract B with Tract B containing 3.00 acres, more or less, and

thereby containing 208.77 acres, more or less, in the Taylor Farms, LLC, tract to be annexed and being identified as White County Tax Parcel # 001-03766-000 (36.96 acres); 001-03766-000 (40.15 acres); 001-03764-0101 (10.00 acres); 001-03763-000 (4.5 acres); 001-03762-000 (1.5 acres); 001-03761-000 (35.66 acres) 001-03755-000 (40 acres) and 001-03756-00 (40 acres).

Ron Campbell:

Tract 1: A part of the SE¼ NE¼ of Section 13, Township 7 North, Range 7 West more particularly described as follows, to-wit: Commencing at the SE Corner of said SE¼ NE¼ and thence N 89° 43' 49" W along the South line of said SE¼ NE¼ 1,173.69 feet to the Southeasterly right of way line of Arkansas State Highway # 367 and thence N 43° 33' 36" E along said right of way 782.13 feet; thence S 74° 51' 38" E 660.14 feet; thence S 00° 32' 10" W 361.81 feet; thence S 00° 07' 27" W 38.08 feet back to the Point of Beginning, containing 10.61 acres, more or less, to be annexed and being identified as being White County Tax Parcel # 001-07149-002.

Tract 2: The NE¼ SE¼ of Section 13, Township 7 North, Range 7 West, containing 40 acres, more or less, to be annexed and being identified as being White County Tax Parcel # 001-07149-000.

AHS Affiliated:

Tract 1: A part of the SE¼ NE¼ of Section 13, Township 7 North, Range 7 West more particularly described as follows, to-wit: Commencing at the SE Corner of said SE¼ NE¼ and thence N 00° 07' 27" E along the East line of said SE¼ NE¼ 38.08 feet to the SW Corner of the NW¼ of Section 18, Township 7 North, Range 6 West and thence N 00° 23' 10" E along said East line 585.81 feet for the POINT OF BEGINNING and thence

continuing N 89° 43' 49" W 624.53 feet to the Southeasterly line of Arkansas State Highway # 367; thence S 43° 33' 36" W along said right of way 858.00 feet; thence S 89° 43' 49" E 587.06 feet back to the Point of Beginning, containing 4.21 acres, more or less, to be annexed and being identified as being White County Tax Parcel # 001-07149-001.

Tract 2: A part of the SE¼ NE¼ of Section 13, Township 7 North, Range 7 West more particularly described as follows, to-wit: Commencing at the SE Corner of said SE¼ NE¼ and thence N 00° 07' 27" E 38.08 feet to the SW Corner of the NW¼ of Section 18, Township 7 North, Range 6 West and thence N 00° 23' 10" E 361.81 feet to the POINT OF BEGINNING and thence continuing N 00° 23' 10" E 224.0 feet; thence N 89° 43' 49" W 578.06 feet to the Southeasterly right of way line of Arkansas State Highway # 367; thence S 43° 33' 36" W along said right of way 75.0 feet; thence S 74° 51' 38" E 660.14 feet back to the Point of Beginning, containing 2.009 acres, more or less, to be annexed and being identified as being White County Tax Parcel # 001-07149-000.

Section 2. That the Clerk of the County Court of White County, Arkansas, is hereby requested pursuant to A. C. A. § 14-40-605 to certify a copy of the plat of the annexed territory and one copy of the order of the County Court and to forward said certified copies along with a certified copy of this Ordinance to the Office of the Secretary of State for the State of Arkansas, and the Director of the Tax Division of the Arkansas Public Service Commission.

Section 3. It being hereby ascertained and declared that in as much as there is an immediate need to include the above described properties and territory into the city limits of the City of Kensett, Arkansas, for the purpose of providing city services to said properties and allow the orderly development of said properties under the applicable city codes that an emergency exists and this ordinance being necessary for the preservation of the public health, safety and welfare shall take effect from and after the date of its passage.

Passed and Adopted this 18 day of October, 2011.

CITY OF KENSETT, ARKANSAS

Max McDonald

MAX McDONALD, Mayor

Attest:

Linda Fuller

LINDA FULLER, City Recorder

Mary O'Connor Acting R/I