

ORDINANCE NO. 2008-14

AN ORDINANCE SUBMITTING TO THE VOTERS OF THE CITY OF BROOKLAND, ARKANSAS, AND OTHER AFFECTED PERSONS, THE QUESTION OF ANNEXATION TO THE CITY OF BROOKLAND CERTAIN CONTIGUOUS TERRITORY

WHEREAS, it appears to the Council of the City of Brookland, Arkansas, that certain hereinafter described territory contiguous to the said City of Brookland is necessary for the orderly growth of said City; and

WHEREAS, the lands are plotted and held for sale as municipal lots, or whether platted or not, the lands are held to be sold as suburban property; and

WHEREAS, the lands are needed for proper municipal purposes; and

WHEREAS, the lands are valuable by reason of their adaptability for prospective municipal uses; and

WHEREAS, the lands represent the actual growth of the municipality beyond its legal boundary;

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BROOKLAND, ARKANSAS;

Section 1. That there shall be submitted to the qualified electors of the City of Brookland and of the following described area lying in Craighead County, Arkansas, the question of the annexation of the below described territory to the City of Brookland, Arkansas. The area included in the following description not currently in the City of Brookland, Arkansas, is:

The following described lands in Craighead County, Arkansas, to-wit:

That part of the Southeast Quarter of Section 24, that part of the East Half of the Northeast Quarter of Section 25, and that part of the E1/2 of the Southeast Quarter of Section 35, ALL IN Township 15 North, Range 5 East; AND, that part of the South Half of Section 8, that part of the East Half of Section 18, all of Section 17, all of Section 16, all of Section 19, all of Section 20, all of Section 21, that part of the West Half of the Northwest Quarter of Section 22, that part of the West Half of the Southwest Quarter of Section 22, all of Section 30, all of Section 29, all of Section 28, that part of the North Half of Section 27, that part of the East Half of the Northeast Quarter of Section 35, all of Section 31, all of Section 32, and all of Section 33, ALL IN Township 15 North, Range 5 East, being more particularly described as follows: Beginning at a point on the existing city limit of Brookland, Arkansas, being the intersection of the centerline of Whitten Creek and the centerline of Highway 49, run thence South 200 feet, more or less, run thence West 4670 feet, more or less, to the East right-of-way of CR 740 for the true point of beginning, run thence Northeasterly along the East right-of-way of CR 740 a distance of 1325 feet, more or less, run thence North along the West line of Section 30 a distance of 1340 feet, more or less, to the Northeast bank of Whitten Creek, run thence Northwesterly along said Northeast bank 2970 feet, more or less, run thence Northwesterly along said Northeast bank 2680 feet, more or less, run thence North along the West line of the SE1/4 Section 24 a distance of 330 feet, more or less, run thence East along the North line of said SE1/4 a distance of 2640 feet, more or less, run thence North along the West line of Section 19 a distance of 2640 feet, more or less, run thence East along the North line of Section 19 a distance of 4550 feet, more or less, to the centerline of

Highway 49, run thence North along said Highway 49 a distance of 2640 feet, more or less, run thence Northeasterly along said Highway 49 a distance of 5215 feet, more or less, to the intersection of Highway 49 with Highway 49B, run thence Southeasterly along the centerline of Highway 49B a distance of 330 feet, more or less, run thence South along Highway 49B a distance of 1320 feet, more or less, to the South right-of-way of CR 952, run thence East along said South right-of-way a distance of 7920 feet, more or less, to the West right-of-way of CR 951, run thence Southwesterly along the West right-of-way of CR 951 a distance of 3220 feet, more or less, to the South right-of-way of CR 951, run thence East along the South right-of-way of CR 951 a distance of 1840 feet, more or less, to the West right-of-way of CR 943, run thence South along said West right-of-way a distance of 3630 feet, more or less, to the Southwest bank of Thompson Creek, run thence Southeasterly along said Southwest bank a distance of 1780 feet, more or less, run thence East 660 feet along the North line of the W1/2 SW1/4 of Section 22, run thence South along the East line of the W1/2 SW1/4 of Section 22 a distance of 2640 feet, more or less, to the South right-of-way of CR 936, run thence East along said South right-of-way a distance of 900 feet, more or less, to the Southwest bank of Thompson Creek, run thence Southeasterly along said Southwest bank a distance of 1900 feet, more or less, run thence Southeasterly along said Southwest bank a distance of 2620 feet, more or less, to the North right-of-way of CR 938, run thence West along the North right-of-way of CR 938 a distance of 5940 feet, more or less, to the West right-of-way of CR 937, run thence South along the West right-of-way of CR 937 a distance of 7920 feet, more or less, to the North right-of-way of CR 928, run thence West along the North right-of-way of CR 928 a distance of 17160 feet, more or less, to the East right-of-way of CR 703, run thence North along the East right-of-way of CR 703 a distance of 5280 feet, more or less, to the South right-of-way of CR 740, run thence East along the South right-of-way of CR 740 a distance of 1200 feet, more or less, to the true point of beginning, containing 7700 acres, more or less,

As shown by the annexation proposal map in the office of the Mayor of Brookland.

Section 2. The question of annexation of the territory described above in Section 1 shall be submitted to the electors qualified to vote on this issue at a General Election to be held on November 4, 2008. The City Clerk shall immediately notify the County Election Commissioners by forwarding a copy of this ordinance.

Section 3. If at such election a majority of the qualified electors voting in such election shall vote for such annexation, the municipality shall proceed to file a description and map of the annexed area with the County Clerk of Craighead County, and with the Secretary of State. The annexation shall be included within the corporate limits of Brookland thirty (30) days following the filing of the description and map with the County Clerk, or in the event an action is filed in the Circuit Court, on the date the judgment of the Circuit Court becomes final. If a majority of the qualified electors voting on the issue at the election vote against the annexation vote against the annexation, the annexation ordinance shall be null and void.

Section 4. If the annexation is approved, and becomes final, the following services shall be extended to the annexed area within three years:

- Police Protection
- Mosquito Control
- Animal Control
- Removal of \$55 annual Fire Tax
- Sanitation Services
- Severe Weather Warning System

Section 5. The ballots used at said election on the question of annexation shall be marked as follows:

The question of annexation of certain land to the City of Brookland, Arkansas, refereed by the City Council, as described in the City Ordinance:

4 FOR annexation of the territory described in Ordinance No. 2008-14.

0 AGAINST annexation of the territory described in Ordinance No. 2008-14

or such ballot arrangement as may be determined by the Board of Election Commissioners.

Section 6. It is found and declared by the City Council that the area described herein is in need of the services offered by annexation described above, and the lack of services and controls affects the health, peace and proper future growth of the city, and an emergency is declared to exist, and this ordinance shall take effect upon its passage and approval.

ADOPTED this 19th day of August, 2008.

Kenneth D. Jones
Mayor

Attest:

Johna Davis
City Clerk

CERTIFICATE

I, Johna Davis, City Clerk of the City of Brookland, Arkansas, hereby certify that this ordinance was duly passed and approved by a two-thirds vote of the total number of the governing body of the City of Brookland this 19th day of August, 2008.

Seal: City Clerk

Johna Davis