O-20-73

ORDINANCE NO. _____

AN ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF NORTH LITTLE ROCK, ARKANSAS; APPROVING THE SCHEDULE OF SERVICES TO BE EXTENDED TO SAID AREA; ASSIGNMENT OF SAID TERRITORY TO WARD 2; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, a petition was filed with the County Court of Pulaski County, Arkansas, pursuant to Ark. Code Ann. §14-40-609, for the annexation of certain territory into the City of North Little Rock, Arkansas; and

WHEREAS, the Pulaski County Clerk and Pulaski County Assessor have verified the identity of the petitioner; verified that there are no property owners included in the petition that do not wish to have their property annexed; verified that the property is contiguous with the City of North Little Rock; and verified that no enclaves will be created if the petition is accepted by the City of North Little Rock; and

WHEREAS, the County Clerk and County Assessor have presented the petition and their respective verifications to the Pulaski County Judge; and

WHEREAS, the County Judge has reviewed the petition and verifications for completeness and accuracy; determined that no enclaves will be created by the annexation; confirmed that the petition contains a schedule of services; and has found that the territory that is the subject of the Petition for Annexation may be annexed to and made a part of the City of North Little Rock, Pulaski County, Arkansas, as authorized and provided by law; and

WHEREAS, the County Judge has issued an Order articulating his findings and forwarded the Petition and Order to the contiguous City of North Little Rock for consideration; and

WHEREAS, it is the desire of the North Little Rock City Council that said territory be annexed.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS:

SECTION 1: That the following described territory, contiguous to the City of North Little Rock, be and the same is hereby accepted as part of, and annexed to and made a part of the City of North Little Rock, Arkansas:

TRACT 1 AS DESCRIBED IN WARRANTY DEED #2011071389, BEING MORE PARTICULARLY DESCRIBED AS:

A TRACT OF LAND LOCATED IN A PORTION OF SECTION 19 AND THE WEST 1/2 OF SECTION 29 AND PART OF SECTION 30 ALL IN TOWNSHIP 2 NORTH, RANGE 10 WEST, PULASKI COUNTY, ARKANSAS, MORE

PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SECTION 30, TOWNSHIP 2 NORTH, RANGE 10 WEST; THENCE SOUTH 01 DEGREE 34 MINUTES 20 SECONDS WEST ALONG THE WEST LINE OF SAID SECTION 30, 854.10 FEET; THENCE SOUTH 58 DEGREES 13 MINUTES 25 SECONDS EAST, 1310.13 FEET TO A POINT ON THE WEST LINE OF THE E1/2 OF THE NW1/4 OF SAID SECTION 30; THENCE NORTH 01 DEGREE 50 MINUTES 24 SECONDS EAST ALONG SAID WEST LINE 48.81 FEET TO AN IRON PIN SITUATED AT THE POINT OF BEGINNING; THENCE CONTINUING NORTH 01 DEGREE 50 MINUTES 24 SECONDS EAST ALONG THE WEST LINE OF THE E1/2 OF THE NW1/4 OF SECTION 30, 1398.33 FEET TO AN IRON PIN; THENCE NORTH 81 DEGREES 58 MINUTES 56 SECONDS EAST, 2783.64 FEET TO AN IRON PIN; THENCE SOUTH 66 DEGREES 49 MINUTES 57 SECONDS EAST, 1144.58 FEET TO AN IRON PIN; THENCE SOUTH 54 DEGREES 50 MINUTES 32 SECONDS EAST, 1563.97 FEET TO AN IRON PIN; THENCE SOUTH 88 DEGREES 09 MINUTES 40 SECONDS EAST, 1309.11 FEET TO AN IRON PIN SITUATED ON THE EAST LINE OF THE NW1/4 OF SECTION 29, TOWNSHIP 2 NORTH, RANGE 10 WEST; THENCE SOUTH 02 DEGREES 01 MINUTE 54 SECONDS WEST ALONG SAID EAST LINE 834.28 FEET TO AN IRON PIN; THENCE SOUTH 21 DEGREES 34 MINUTES 50 SECONDS WEST, 2448.48 FEET TO AN IRON PIN; THENCE SOUTH 21 DEGREES 43 MINUTES 51 SECONDS WEST ALONG AN OLD FENCE LINE EXTENDED FOR A DISTANCE OF 1250.29 FEET TO AN IRON PIN SITUATED ON THE NORTHERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 70, SAID POINT ALSO BEING LOCATED ON THE ARC OF A 915.12 FOOT RADIUS CURVE TO THE RIGHT HAVING A CHORD BEARING AND DISTANCE OF NORTH 67 DEGREES 55 MINUTES 07 SECONDS WEST, 249.30 FEET; THENCE ALONG THE ARC OF SAID CURVE AND SAID NORTHERLY RIGHT-OF-WAY LINE TO AN IRON PIN SITUATED AT THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 59 DEGREES 06 MINUTES 27 SECONDS WEST ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY 70 FOR A DISTANCE OF 1115.12 FEET TO AN IRON PIN SITUATED AT THE POINT OF CURVATURE OF A 3433.58 FOOT RADIUS CURVE TO THE LEFT HAVING A CHORD BEARING AND DISTANCE OF NORTH 60 DEGREES 06 MINUTES 31 SECONDS WEST 119.98 FEET; THENCE ALONG THE ARC OF SAID CURVE AND THE NORTHERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 70 TO AN IRON PIN SITUATED AT THE POINT OF TANGENCY OF SAID CURVE; THENCE ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 70 THE FOLLOWING BEARINGS AND DISTANCES: NORTH 61 DEGREES 06 MINUTES 35 SECONDS WEST 604.94 FEET TO AN IRON PIN; THENCE NORTH 59 DEGREES 20 MINUTES 58 SECONDS WEST, 189.00 FEET TO AN IRON PIN; THENCE NORTH 57 DEGREES 37 MINUTES 51 SECONDS WEST 189.00 FEET TO AN IRON PIN; THENCE NORTH 56 DEGREES 23 MINUTES 53 SECONDS WEST, 209.45 FEET TO AN IRON PIN; THENCE DEPARTING SAID NORTHERLY RIGHT-OF-WAY LINE NORTH 28 DEGREES 10 MINUTES 02 SECONDS EAST, 1067.55 FEET TO AN IRON PIN; THENCE NORTH 58 DEGREES 31 MINUTES 17 SECONDS WEST, 280.34 FEET TO AN IRON PIN; THENCE NORTH 64 DEGREES 51 MINUTES

45 SECONDS WEST, 502.41 FEET TO AN IRON PIN; THENCE NORTH 67 DEGREES 19 MINUTES 54 SECONDS WEST, 929.76 FEET TO AN IRON PIN; THENCE SOUTH 42 DEGREES 48 MINUTES 05 SECONDS WEST, 462.16 FEET TO AN IRON PIN SITUATED ON THE NORTHERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 70; THENCE NORTH 38 DEGREES 44 MINUTES 34 SECONDS WEST ALONG SAID RIGHT-OF-WAY LINE 227.90 FEET TO AN IRON PIN SITUATED AT THE POINT OF CURVATURE OF A 3064.63 FOOT RADIUS CURVE TO THE LEFT HAVING A CHORD BEARING AND DISTANCE OF NORTH 42 DEGREES 16 MINUTES 20 SECONDS WEST, 393.57 FEET; THENCE ALONG THE ARC OF SAID CURVE AND THE NORTHERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 70 TO AN IRON PIN SITUATED AT THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 45 DEGREES 57 MINUTES 13 SECONDS WEST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE 459.52 FEET TO AN IRON PIN SITUATED AT THE POINT OF CURVATURE OF A 1336.09 FOOT RADIUS CURVE TO THE LEFT HAVING A CHORD BEARING AND DISTANCE OF NORTH 51 DEGREES 26 MINUTES 32 SECONDS WEST, 255.58 FEET; THENCE ALONG THE ARC OF SAID CURVE AND THE NORTHERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 70 TO AN IRON PIN SITUATED AT THE POINT OF TANGENCY OF SAID CURVE; THENCE ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 70 THE FOLLOWING BEARINGS AND DISTANCES: NORTH 56 DEGREES 55 MINUTES 50 SECONDS WEST 302.59 FEET TO AN IRON PIN; THENCE NORTH 57 DEGREES 27 MINUTES 26 SECONDS WEST, 136.00 FEET TO AN IRON PIN; THENCE NORTH 57 DEGREES 59 MINUTES 01 SECOND WEST 76.67 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT:

THE TRACT OF LAND AS DESCRIBED IN WARRANTY DEED #2018079899, BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 30, T-2-N, R-10-W; THENCE S01°34'20"W, ALONG THE WEST LINE OF SAID SECTION 30 FOR 854.10 FEET; THENCE S58°13'25"E FOR 1310.13 FEET TO A POINT ON THE WEST LINE OF THE E½ OF THE NW'/4 OF SAID SECTION 30; THENCE N01°50'24"E, ALONG SAID WEST LINE FOR 1447.14 FEET; THENCE N81°58'56"E FOR 2783.64 FEET; THENCE S66°49'57"E FOR 1144.58 FEET; THENCE S54°50'32"E FOR 1563.97 FEET; THENCE S88°09'40"E FOR 1309.11 FEET TO A POINT ON THE EAST LINE OF THE NW% OF SECTION 29, T-2-N, R-10-W; THENCE S02°01'54"W, ALONG SAID EAST LINE FOR 834.28 FEET; THENCE S21°34'50"W FOR 2448.48 FEET; THENCE S21°43'51"W, ALONG AN OLD FENCE LINE EXTENDED FOR 530.29 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S21°43'51"W FOR 720.0 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY #70, SAID POINT ALSO BEING LOCATED ON THE ARC OF A 915.12 FOOT RADIUS CURVE TO THE RIGHT HAVING A CHORD BEARING AND DISTANCE OF N67°55'07"W FOR 249.30 FEET; THENCE ALONG THE ARC OF SAID CURVE AND SAID NORTHERLY RIGHT-OF-WAY LINE TO A

POINT SITUATED AT THE POINT OF TANGENCY OF SAID CURVE; THENCE N59°06'27"W, ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY #70 FOR 375.00 FEET; THENCE LEAVING SAID RIGHT-OF-WAY N21°43'51"E FOR 658.77 FEET; THENCE S68°16'09"E' FOR 619.51 FEET TO THE POINT OF BEGINNING, CONTAINING 10.00 ACRES MORE OR LESS.

SECTION 2: That the following schedule of services shall be extended to the area by the City of North Little Rock within the statutorily required three (3) year period after the date of annexation becomes final, as follows:

(1) Police services;
(2) Fire protection services;
(3) Residential solid waste disposal services;
(4) City planning and code enforcement services; and
(5) Street and storm water system maintenance on city streets and drainage easements.

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

SECTION 4: That thirty (30) days after passage and publication or posting of this Ordinance as authorized by law, the annexation shall be final and the property shall be within the corporate limits of the City of North Little Rock, Arkansas, except as otherwise ordered by the Circuit Court pursuant to a cause of action filed within said thirty (30) day period.

SECTION 5: That within forty-five (45) days of the effective date of this ordinance, the City Clerk shall provide written notice, along with complete documentation to the County Clerk of each county in which the territory is affected.

SECTION 6: That all ordinances or parts of ordinance in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 7: That the provisions of this Ordinance are hereby declared to be severable and if any section, phrase or provision shall be declared or held invalid, such invalidity shall not affect the remainder of the sections, phrases or provisions.

SECTION 8: It is hereby found and determined that the annexation of the territory described herein is immediately necessary in order to insure the proper and orderly growth and development of this land and of the City of North Little Rock, Arkansas, and being necessary for the immediate preservation of the public health, safety and welfare, THEREFORE, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED:

APPROVED:

Mayor Joe A. Smith

SPONSOR:

Mayor Joe A. Smith

ATTEST:

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/ABF

FILED 11:15 A.M. _____ P.M.
By Amy Fields, Ch
DATE 8-18-20

Diane Whitbey, City Clerk and Collector
North Little Rock, Arkansas

RECEIVED BY