



STATE OF ARKANSAS

ORDINANCE NO. 2023-25

AN ORDINANCE ACCEPTING 100% PETITION ANNEXATION OF LAND BY OWNER ADJOINING THE PRESENT CITY LIMITS TO THE CITY OF BROOKLAND, ARKANSAS, BY ORDER OF THE COUNTY COURT OF CRAIGHEAD COUNTY, ARKANSAS; AMENDING ORDINANCE 2020-14 KNOWN AS THE ZONING MAP AND ASSIGNING SAID ANNEXED TERRITORIES ZONED R1/CU - SCHOOL TO WARD 3

WHEREAS, a petition was filed, pursuant to A.C.A. § 14-40-601, for the annexation of certain territory into the City of Brookland, Arkansas; and

WHEREAS, said petition for the annexation of these lands was duly signed 100% of the owners of real estate to be annexed; and

WHEREAS, the County Judge issued an Order after review of the petition and verifications for completeness and accuracy, and determined there were no enclaves created by the annexation, and confirmed that the petition contained a schedule of services; and

WHEREAS, the City of Brookland received this Order from the County Judge concerning these lands; and

WHEREAS, it is the desire of the City of Brookland Council that said territory be annexed; and

WHEREAS, the petitioners have requested that the annexed property be zoned as R1 with a Conditional Use (School) classification, and the Brookland Planning Commission has recommended such classification upon annexation after proper notice and hearing.

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

SECTION 1. That the described territory attached hereto and incorporated herein as if set forth word for word, contiguous to the City of Brookland, be and the same is hereby accepted as part of, and annexed to and made a part of the City of Brookland, Arkansas.

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

- a. City Water
- b. City Sanitation
- c. Police protection.

- d. Animal Control
- e. Code Enforcement
- f. Street maintenance
- g. Mosquito Control upon schedule

SECTION 3. That the above-described territory shall be zoned R1/CU – School and the Brookland Zoning Map shall be amended accordingly, and the property annexed to and made a part of Ward 3 of the City of Brookland, Arkansas, and the same shall henceforth be a part of said ward as fully as existing parts of said ward.

SECTION 4. That the City of Brookland, Arkansas, agrees that upon the release of Highway 230 by the State of Arkansas, it will accept from the County that portion of Highway 230 from its intersection with Highway 49B to the easternmost city limits of the City of Brookland, Arkansas, as a city street, with all maintenance and improvement responsibilities.

SECTION 5. Notice. 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. Emergency. In the event any part of this ordinance is found to be unconstitutional, it shall be severed from the remaining parts so that only the offending portion of the ordinance is eliminated. The City Council of the City of Brookland finds that it is in the best interest of the citizens of Brookland, Arkansas, to promote and enable positive and profitable development of its real estate and to provide for redevelopment of residential and commercial properties, to provide jobs and safe places for its residents to live and for its children to go to school, and therefore, this Ordinance is necessary for the preservation of the public peace, health, comfort, convenience, safety and welfare of the residents of the City of Brookland, Arkansas, and an emergency is hereby declared to exist. Therefore, this Ordinance shall be in full force and effect from the date of its adoption.

PASSED AND ADOPTED THIS 7th DAY OF DECEMBER 2023.


Kenneth D. Jones, Mayor

ATTEST:


Julie Thomas, Clerk/Treasurer



DEED DOCUMENT NO. 2022R-006824

A PART OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 15 NORTH, RANGE 05 EAST, CRAIGHEAD COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE EAST QUARTER CORNER OF SECTION 17, TOWNSHIP 15 NORTH, RANGE 05 EAST, CRAIGHEAD COUNTY, ARKANSAS; THENCE SOUTH $00^{\circ}33'16''$ EAST, ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 17, 38.73 FEET TO THE POINT OF BEGINNING PROPER; THENCE CONTINUE SOUTH $00^{\circ}33'16''$ EAST, ALONG SAID EAST LINE, 2580.55 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF ARKANSAS HIGHWAY NO. 230; THENCE SOUTH $88^{\circ}55'11''$ WEST, ALONG SAID RIGHT-OF-WAY LINE, 1326.38 FEET; THENCE NORTH $00^{\circ}30'29''$ WEST, LEAVING SAID RIGHT-OF-WAY LINE, 1273.48 FEET; THENCE SOUTH $88^{\circ}36'45''$ WEST, 660.93 FEET; THENCE NORTH $00^{\circ}33'01''$ WEST, 628.65 FEET; THENCE SOUTH $89^{\circ}54'58''$ EAST, 257.19 FEET; THENCE NORTH $00^{\circ}04'13''$ EAST, 591.36 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 950; THENCE ALONG SAID RIGHT-OF-WAY LINE THE FOLLOWING COURSES AND DISTANCES: NORTH $72^{\circ}11'43''$ EAST, 138.28 FEET; NORTH $89^{\circ}12'49''$ EAST, 68.82 FEET; NORTH $81^{\circ}42'52''$ EAST, 86.51 FEET; NORTH $77^{\circ}40'06''$ EAST, 200.61 FEET; NORTH $83^{\circ}58'19''$ EAST, 70.55 FEET; NORTH $88^{\circ}53'57''$ EAST, 1169.31 FEET TO THE POINT OF BEGINNING PROPER, CONTAINING 93.73 ACRES, MORE OR LESS, SUBJECT TO ALL RIGHTS-OF-WAY AND EASEMENTS OF RECORD.