

**ORDINANCE NO. 2001- 5**

**AN ORDINANCE ACCEPTING CERTAIN LANDS ANNEXED TO THE CITY OF BROOKLAND, ARKANSAS, BY ORDER OF THE COUNTY COURT OF CRAIGHEAD COUNTY, ARKANSAS; ZONING SAID ANNEXED TERRITORY COMMERCIAL (C-1); DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.**

WHEREAS, a petition for annexation of certain lands to the city of Brookland, Arkansas, hereinafter described, was duly filed in the County Court of Craighead County, Arkansas, on February 14, 2001 and amended March 21, 2001;

WHEREAS, said petition for the annexation of said lands was duly signed by the sole owners of all of the acreage to be annexed to the City of Brookland, Arkansas; and

WHEREAS, an order setting a hearing upon said petition was entered, notice was duly published of said hearing and a hearing upon said petition was duly had and held in the County Court of Craighead County, Arkansas, on April 19, 2001, at which hearing it was duly found and declared that said petition for annexation was right and proper and that such lands hereinafter described should be annexed to the City of Brookland, Arkansas; whereupon an order of annexation was made and entered; and

WHEREAS, thirty days having expired since the order of annexation dated April 19, 2001, and no proceedings to prevent said annexation having been filed in the Circuit Court for the Jonesboro District of Craighead County, Arkansas, said annexation proceedings were in all things confirmed by the County Court by its order of May 23, 2001.

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

Section 1: The territory and lands annexed to the City of Brookland by order of the

County Court of Craighead County, Arkansas, by its order of April 19, 2001, be and are hereby accepted by the City of Brookland, Arkansas, and said territory hereinafter described shall be hereafter deemed and taken to be a part and parcel of the limits of the City of Brookland, Arkansas, and the inhabitants residing therein shall have and enjoy all of the privileges of the inhabitants within the original limits of the City of Brookland, Arkansas.

Section 2: The lands and territory hereby annexed to and accepted by the City of Brookland, Arkansas, are more particularly described as:

All my interest in the S  $\frac{1}{2}$  of the SW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$ , and the S  $\frac{1}{2}$  of the N  $\frac{1}{2}$  of the SW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$ , and the E  $\frac{1}{2}$  of the NE  $\frac{1}{4}$ , all in Sec. 30, T 15 N, R 5 E, Craighead County, Arkansas.

Part of W  $\frac{1}{2}$  of SW  $\frac{1}{4}$  of Sec. 29 and part of E  $\frac{1}{2}$  of SE  $\frac{1}{4}$  of Sec. 30, T 15 N, R 5 E, more particularly described as follows: Beg. at NW corner of NW  $\frac{1}{4}$  of SW  $\frac{1}{4}$  of said Sec. 29; thence run E on  $\frac{1}{4}$  section line 287 ft.; thence S  $34^{\circ} 46'$  W 23.3 ft.; thence S  $55^{\circ} 14'$  E 410 ft. to Easterly corner of Lot 3, Block 6 of Original Survey of Town of Brookland, Arkansas; thence run Southwesterly along the Southeasterly line of said Lot 3 and said Southeasterly line extended 160 ft. to Easterly corner of Lot 10 in said Block 6; thence Northwesterly along Northeasterly line of Lot 10 aforesaid 50 ft. to Northerly corner of said Lot 10; thence Southwesterly along Northwesterly line of Lot 10 aforesaid and said Northwesterly line extended, to northeasterly line of a creek or ditch; thence in a Southeasterly direction along said Northeasterly line of said ditch to the Northwesterly right of way line of Highway #1; thence in a Southwesterly direction along said highway right of way to a point on said right of way line which is 1535 ft. NE of the intersection of said right of way line with S line of SE  $\frac{1}{4}$  of SE  $\frac{1}{4}$  of said Sec. 30; thence Northwesterly at right angles to said highway right of way 435 ft.; thence run Southwesterly parallel to said highway right of way 800 ft.; thence Southeasterly at right angles to said highway 435 ft. to said highway right of way; thence Southwesterly along said right of way 100 ft.; thence Northwesterly at right angles to said highway right of way 218 ft.; thence Southwesterly parallel to said highway 200 ft.; thence Southeasterly at right angles to said highway 218 ft. to said right of way line; thence E to E line of SE  $\frac{1}{4}$  of SE  $\frac{1}{4}$  of said Sec. 30; thence S to SE corner of SE  $\frac{1}{4}$  of said Sec. 30; thence W along S line of said Sec. 30 to SW corner of SE  $\frac{1}{4}$  of SE  $\frac{1}{4}$  aforesaid; thence N along W line of E  $\frac{1}{2}$  of SE  $\frac{1}{4}$  of Sec. 30 to NW corner of NE  $\frac{1}{4}$  of SE  $\frac{1}{4}$  of said section; thence E along  $\frac{1}{4}$  section line to point of beg. LESS AND EXCEPT THE PROPERTY OF THE BROOKLAND GIN COMPANY, described as follows: Beg. at NW corner of



NW ¼ of SW ¼ of said Sec. 29; thence S 49 ft.; thence E 125 ft. to point of beg. proper; thence W 140 ft.; thence S 89° 45' W along S line of a public road 528 ft.; thence in a Southeasterly direction along Northerly line of a ditch to a point which is due S of point of beg. proper; thence N to point of beg. proper (The lands above described include all of Block 5 and Lots 1, 2, 3, 11 and 12 in Block 6 of the Original Survey of the Town of Brookland, Arkansas).

Section 3: The lands and territory annexed to the City of Brookland are hereby accepted by the City of Brookland.

Section 4: Said lands and territory annexed to the City of Brookland are hereby zoned Commercial (C-1).

Section 5: It is hereby found and declared by the City Council of the City of Brookland, Arkansas, that there is now an extreme urgency that the territory herein be immediately annexed to and accepted by the City of Brookland, Arkansas, so that said property and the citizens and property owners of said territory described herein can be entitled to fire, police, zoning and other protection and benefits, and that said benefits and protection are urgently needed now in order to allow orderly growth and development of said lands and territory. Therefore, an emergency is hereby declared to exist and this ordinance being necessary for the preservation of the public peace, health and safety, it shall take effect and be in full force from and after its passage.

PASSED and ADOPTED this 12 day of June, 2001.

Mayor

ATTEST:

Beth Foster  
City Clerk