

ORDINANCE NO. 2196

**AN ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF MENA, ARKANSAS, AND MAKING SAME A PART OF THE CITY OF MENA, AND ASSIGNING SAME TO WARDS**

**WHEREAS**, petition was filed with the County Clerk of Polk County, Arkansas, by the majority of the real estate owners of the hereinafter described territory praying that said territory be annexed to, and made a part of the City of Mena, Arkansas; and

**WHEREAS**, on April 23, 2010, the County Court of Mena, Arkansas, found that the petition was signed by a majority of the real estate owners in said territory; that said territory was contiguous and adjoining the present corporate limits of the City of Mena, Arkansas; that an accurate plat or map of said territory had been filed with and made a part of said petition; that proper notice had been given for the time and in the manner prescribed by law, and that all things pertaining thereto had been done in the manner prescribed by law, and that said land and territory should be annexed to and make a part of the City of Mena, Arkansas, subject to the acceptance of same by the City Council of said City at the proper time, as provided by law; and

**WHEREAS**, the time fixed by law for appealing from said order of annexation made by the county court has expired and no appeal has been taken from said order.

**NOW THEREFORE**, be it ordained by the City Council of the City of Mena, Arkansas:

**Section 1.** That the following described lands and territory contiguous and adjoining the City of Mena, Arkansas, be and the same is hereby accepted as part of and annexed to and made a part of the City of Mena, Arkansas:

Tract 1: James J. Harnar and Faye E. Harnar, husband and wife

A PART OF THE NORTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (N ½ NE ¼ SW ¼) OF SECTION NINE (9) TOWNSHIP TWO (2) SOUTH, RANGE THIRTY (30) WEST, POLK COUNTY, ARKANSAS DESCRIBED AS BEGINNING AT THE NORTHWEST CORNER OF THE FORTY; THENCE SOUTH 88 DEGREES 09' EAST 1260.9 FEET TO THE WEST RIGHT-OF-WAY OF US HIGHWAY 71; THENCE SOUTH 495.8 FEET ALONG THE RIGHT-OF-WAY; THENCE NORTH 88 DEGREES 11 MINUTES WEST 1261.5 FEET; THENCE NORTH 0 DEGREES 04' EAST 496.5 FEET ALONG THE FORTY LINE TO THE POINT OF BEGINNING AND CONTAINING 14.36 ACRES, MORE OR LESS. SUBJECT TO A RIGHT OF EASEMENT FOR INGRESS AND EGRESS TO AND FROM LANDS TO THE NORTH AND TO THE SOUTH OF THE TRACT HEREIN DESCRIBED, OVER AND ACROSS THE WEST THIRTY (30) FEET OF THE TRACT HEREIN DESCRIBED. SUBJECT TO ANY PUBLIC UTILITY AND ROADWAY EASEMENTS AS MAY NOW EXIST.

LESS AND EXCEPT:

A part of the Northeast Quarter (NE ¼) of the Southwest Quarter (SW ¼) of Section 9, Township 2 South, Range 30 West, Polk County, Arkansas described as follows; Beginning at the Northwest corner of the Northeast ¼ of the Southwest ¼ thence South 01 Degrees 06 minutes West a distance of 496.50 feet along the forty line; Thence South 87 Degrees 9 minutes East a distance of 1261.5 feet; Thence North 01 Degrees 02 Minutes East a distance of 50.00 feet along the West right-of-way of U.S. Highway No. 71; Thence North 87 Degrees 9 Minutes West a distance of 384.44 feet; Thence North 00 Degrees 56 Minutes East a distance of 446.04 feet; Thence North 87 Degrees 7 minutes West a distance of 875.66 feet along the forty line to the point of beginning, containing an area of 10.42 acres as surveyed by P.T. Sloan PLS#947, February 29, 2008. Subject to a 30 foot access easement along the West side thereof. Subject to all public utility and roadway easements that may now exist.

Together with all the improvements and appurtenances thereunto belonging.

Tract 2: Amy Lanelle Akers Trust, Carole A. Martin, Trustee and the Emily Dale Akers Trust, Carole A. Martin, Trustee

The NE ¼ SW ¼ OF Section 9 Township 2 South, Range 30 West, Polk County, Arkansas, LESS AND EXCEPT a part of the N ½ NE ¼ SW ¼ of Section 9 Township 2 South, Range 30 West, Polk County, Arkansas, described as beginning at the Northwest corner of the forty; thence South 88 degrees 09 minutes East 1260.9 feet to the West right-of-way of the US Highway No. 71; thence South 495.8 feet along the right-of-way; thence North 88 degrees 11 minutes West 1261.5 feet; thence north 0 degrees 04 minutes East 496.5 feet along the forty line to the point of beginning and containing 14.36 acres, more or less, in said exception; there is specifically included in this conveyance an easement reserved and excepted in the certain "warranty deed creating tenancy by the Entireties" dated 1/13/84 and recorded in book 181, page 29, deed records of Polk County, Arkansas.

Tract 3: Polk County Industrial Development Corporation, an Arkansas non-profit corporation

~~THE SW ¼ NW ¼ OF SECTION 9, IN TOWNSHIP 2 SOUTH, OF RANGE 30 West, CONTAINING 40 ACRES, MORE OR LESS, IN POLK COUNTY, ARKANSAS, TOGETHER WITH A 30 FOOT EASEMENT FOR ROADWAY PURPOSES AS GRANTED BY AN EASEMENT FOR ROADWAY PURPOSES RECORDED IN VOLUME M-169, PAGE 459-460 OF THE DEED RECORDS OF POLK COUNTY, ARKANSAS. ALSO ALL OF MY RIGHT, TITLE, AND INTEREST IN A CERTAIN OIL AND GAS LEASE IN FAVOR OF DIAMOND SHAMROCK CORPORATION WHICH OIL AND GAS LEASE IS RECORDED IN BOOK 3 PAGES 379-381 OF THE~~

*Not Amended*

DEED RECORDS OF POLK COUNTY, ARKANSAS

**Tract 5: Polk County Industrial Development Corporation, an Arkansas non-profit corporation**

The East half of the Northwest Quarter of the Southwest Quarter (W ½ NW ¼ SW ¼) of Section nine (9), Township two (2) South, Range thirty (30) West, containing twenty (20) acres, more or less.

**Tract 6: Caddo Waterworks Corporation, an Arkansas Corporation**

A part of the Northwest ¼ of the Southwest ¼ of Section 9, Township 2 South, Range 30 West, Polk County, Arkansas, described as follows, commencing at the Northwest corner of the Northwest ¼ of the Southwest ¼; thence South 0 degrees 03 minutes West, distance of 25.00 feet for the place of beginning; thence South 99 degrees 47 minutes East, a distance of 250.00 feet; thence South 0 degrees 03 minutes West, a distance of 348.55 feet; thence North 99 degrees 47 minutes West a distance of 250.00 feet; thence North 0 degrees 03 minutes East, a distance of 248.55 feet to the place of beginning and containing 87120 square feet or 2.00 acres, as surveyed by P.T. Sloan, PLS #947, subject to a 30 foot utility easement along the West side thereof, subject to any public utility and roadway easements that may now exist.

Subject to restrictive covenants for the Mena Industrial Park as set out in ordinance no. 1020 recorded in Polk County miscellaneous records M-259, page 248-253.

**Tract 7: Robert Brooks, Jr. and Staci L. Brooks, husband and wife**

A part of the West One-Half (W ½) of the Northwest Quarter (NW ¼) of the Southwest Quarter (SW ¼) of Section nine (9), Township two (2) South, Range thirty (30) West, Polk County, Arkansas, described as follows, Commencing at the Northwest corner of the West One-Half (W ½) of the Northwest Quarter (NW ¼) of the Southwest Quarter (SW ¼); thence South 0 degrees 03 minutes West, a distance of 25.00 feet; thence South 88 degrees 47 minutes East, a distance of 310.00 feet for the place of beginning; thence South 88 degrees 47 minutes East, a distance of 349.61 feet; thence South 0 degrees 04 minutes West, a distance of 249.27 feet; thence North 88 degrees 47 minutes West a distance of 349.54 feet; thence North 0 degrees 03 minutes East, a distance of 294.27 feet to the place of beginning and containing 2.00 acres, as surveyed by P.T. Sloan, PLS #947, February 2, 2004. Subject to any loss arising from Restrictive covenants set out in book M 259 pages 254-258 08/0/1995 and amended restrictive covenant set out in book 2002, pages 719-724, 10/11/2002. Subject to public utility easements, City Land Use

Ordinances and roadway easements that may now exist.

Together with all the improvements and appurtenances thereunto belonging.

**TRACT 8: CITY OF MENA**

A PART OF THE West  $\frac{1}{2}$  of the Northwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of Section 9, Township 2 South, Range 30 West, Polk County, Arkansas describe as follows: beginning at the southeast corner of the NW SW; thence North 88 degrees 44 minutes West a distance of 662.22 feet along the forty line for the place of beginning; thence North 88 degrees 44 minutes West, a distance of 338.37 feet along the forty line; thence North 0 degrees 42 minutes West. A distance of 217.59 feet along the East right-of-way of Industrial Park Road; Thence South 88 degrees 44 minutes East, a distance of 340.81 feet, thence South 0 degrees 04 minutes East, a distance of 217.52 feet to the place of beginning and containing 1.70 acres, as surveyed by P.T. Sloan PLS#947, March 23, 2004.

Subject to Restrictive covenants for the Mena Industrial Park as set out in Ordinance No. 1020 recorded in Polk County Miscellaneous records M-259, page 248-253. Reserving unto Grantors, their successors and assigns, water and sewer easement on West 50' of 1.70 acre tract.

**Tract 9: Polk County Industrial Development Corporation, an Arkansas non-profit corporation**

3.30 acres from the County: a part of the East  $\frac{1}{2}$  of the Northwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of Section 9, Township 2 South, Range 30 West, Polk County, Arkansas described as follows; Beginning at the Southeast corner of the E  $\frac{1}{2}$  NW SW; thence North 88 degrees 44 minutes West, a distance of 662.22 feet along the forty line; thence North 0 degrees 04 minutes West, a distance of 217.52 feet; thence South 88 degrees 44 minutes East, a distance of 661.73 feet; thence South 0 degrees 12 minutes East, a distance of 217.53 feet along the forty line to the place of beginning and containing 3.30 acres, as surveyed by P.T. Sloan PLS#947, March 23, 2004, reserving unto the grantors, their assigns and successors a water, sewer and utilities easement on the East 50 feet thereof.

Subject to Restrictive covenants for the Mena Industrial Park as set out in Ordinance No. 1020 recorded in Polk County Miscellaneous records M-259, page 248-253.

**Tract 10: Healthy Connections, Inc.**

A part of the Northeast Quarter (NE  $\frac{1}{4}$ ) of the Southwest Quarter (SW  $\frac{1}{4}$ ) of Section 9, Township 2 South, Range 30 West, Polk County, Arkansas described as follows; Beginning at the Northwest corner of the Northeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  thence South 01 Degrees 06 minutes West a distance of 496.50 feet along the forty line; Thence South 87 Degrees 9 minutes East a distance of 1261.5 feet; Thence North 01 Degrees 02 Minutes East a distance of 50.00 feet along the West right-of-way of U.S. Highway No. 71; Thence North 87 Degrees 9 Minutes West a distance of 384.44 feet; Thence North 00 Degrees 56 Minutes East a distance of 446.04 feet; Thence North 87 Degrees 7 minutes West a distance of 875.66 feet along the forty line to the point of beginning, containing an area of 10.42 acres as surveyed by P.T. Sloan PLS#947, February 29, 2008. Subject to a 30 foot access easement along the West side thereof. Subject to all public utility and roadway easements that may now exist.

Together with all the improvements and appurtenances thereunto belonging.

Tract 11: City of Mena

The West half of the Northwest Quarter of the Southwest Quarter (W  $\frac{1}{2}$  NW  $\frac{1}{4}$  SW  $\frac{1}{4}$ ) of Section nine (9), Township two (2) South, Range thirty (30) West, containing twenty (20) acres, more or less.

Subject to any easement over, through and across the South 20 feet of the NW  $\frac{1}{4}$  SW  $\frac{1}{4}$  of Section 9, Township 2 South, Range 30 West, granted to the Mena Water and Sewer Commission of the City of Mena, Arkansas, per easement dated May 16, 1989.

Less and except: A part of the Northwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of Section 9, Township 2 South, Range 30 West, Polk County, Arkansas, described as follows, commencing at the Northwest corner of the Northwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$ ; thence South 0 degrees 03 minutes West, distance of 25.00 feet for the place of beginning; thence South 99 degrees 47 minutes East, a distance of 250.00 feet; thence South 0 degrees 03 minutes West, a distance of 348.55 feet; thence North 99 degrees 47 minutes West a distance of 250.00 feet; thence North 0 degrees 03 minutes East, a distance of 248.55 feet to the place of beginning and containing 87120 square feet or 2.00 acres, as surveyed by P.T. Sloan, PLS #947, subject to a 30 foot utility easement along the West side thereof, subject to any public utility and roadway easements that may now exist.

Less and except: A part of the West One-Half (W  $\frac{1}{2}$ ) of the Northwest Quarter (NW  $\frac{1}{4}$ ) of the Southwest Quarter (SW  $\frac{1}{4}$ ) of Section nine (9), Township two (2) South, Range thirty (30) West, Polk County, Arkansas, described as follows, Commencing at the Northwest corner of the West One-Half (W  $\frac{1}{2}$ ) of the Northwest Quarter (NW  $\frac{1}{4}$ ) of the Southwest Quarter (SW  $\frac{1}{4}$ ); thence South 0 degrees 03 minutes West, a distance of

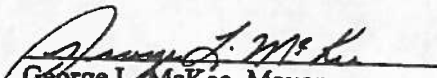
Page 6

Ordinance No. 2196

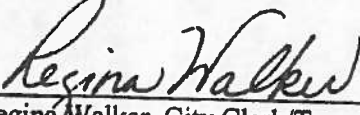
25.00 feet; thence South 88 degrees 47 minutes East, a distance of 310.00 feet for the place of beginning; thence South 88 degrees 47 minutes East, a distance of 349.61 feet; thence South 0 degrees 04 minutes West, a distance of 249.27 feet; thence North 88 degrees 47 minutes West a distance of 349.54 feet; thence North 0 degrees 03 minutes East, a distance of 294.27 feet to the place of beginning and containing 2.00 acres, as surveyed by P.T. Sloan, PLS #947, February 2, 2004.

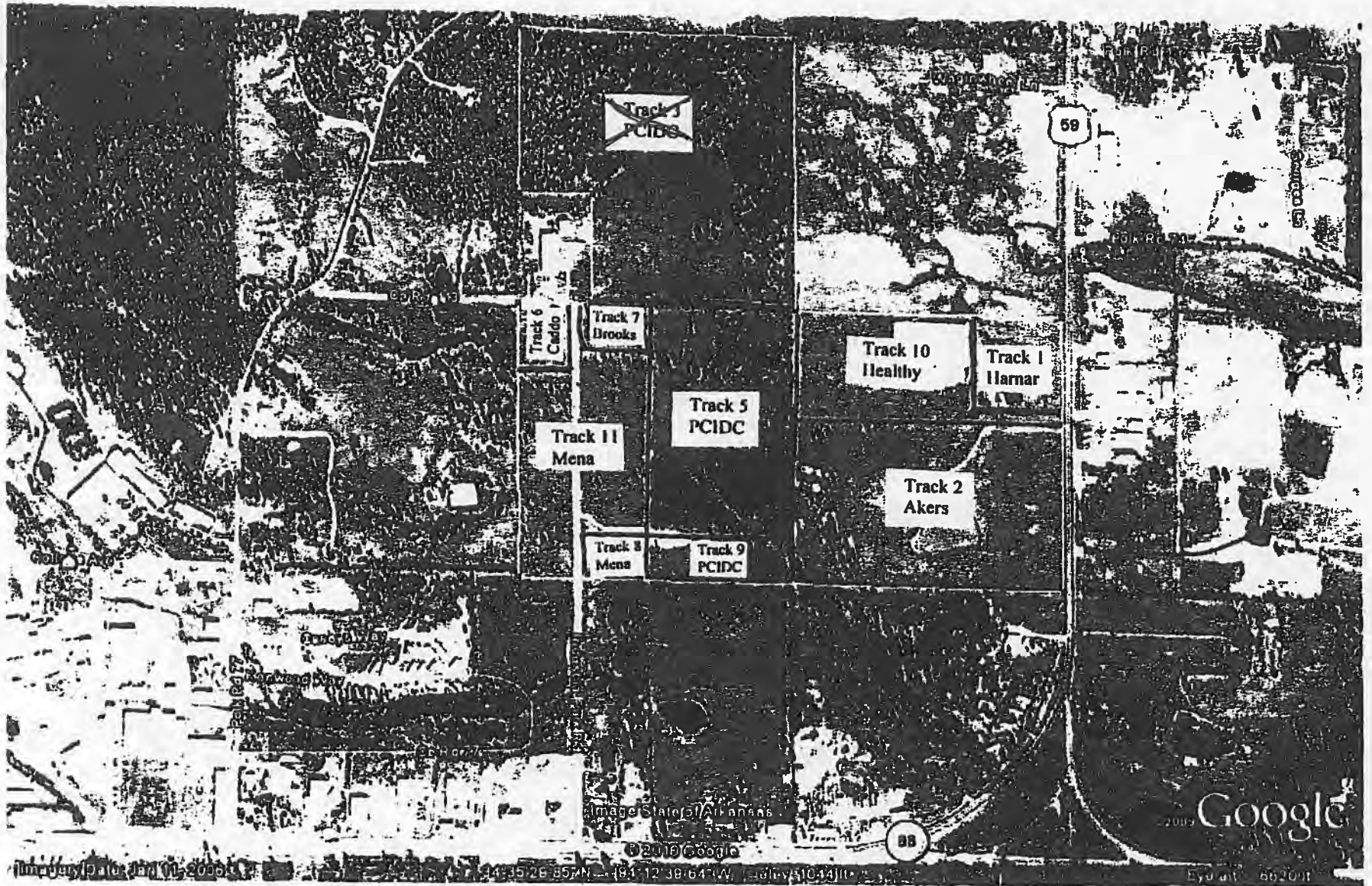
**Section 2.** That the above described territory shall be annexed to and made a part of Ward II of the City of Mena, and the same shall henceforth be a part of said ward as fully as existing parts of said ward, unless redistricting occurs due to the next decennial census.

**PASSED AND APPROVED** this 8<sup>th</sup> day of June, 2010.

  
George L. McKee, Mayor

**ATTEST:**

  
Regina Walker, City Clerk/Treasurer



~~Track 3  
PCIDC~~

Track 6  
Caddo

Track 7  
Brooks

Track 10  
Healthy

Track 1  
Harnar

Track 5  
PCIDC

Track 11  
Mena

Track 2  
Akers

Track 8  
Mena

Track 9  
PCIDC

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Historic Annex Ord 2196: City of Mena  
February 2019

City: Mena  
Mayor: Seth Smith

Arkansas Code 14-40-101.

Before an entity undertakes an annexation, consolidation, or detachment proceeding under this chapter, the entity shall coordinate with the Arkansas Geographic Information Systems Office for preparation of legal descriptions and digital mapping for the relevant annexation, consolidation, and detachment areas.

The map contained herein, is evidence, the entity has met requirements of Act 914 of 2015



- Proposed Annex
- Sections
- Parcels
- Freeway
- Highway
- Minor Road
- Existing City
- Neighboring City

