

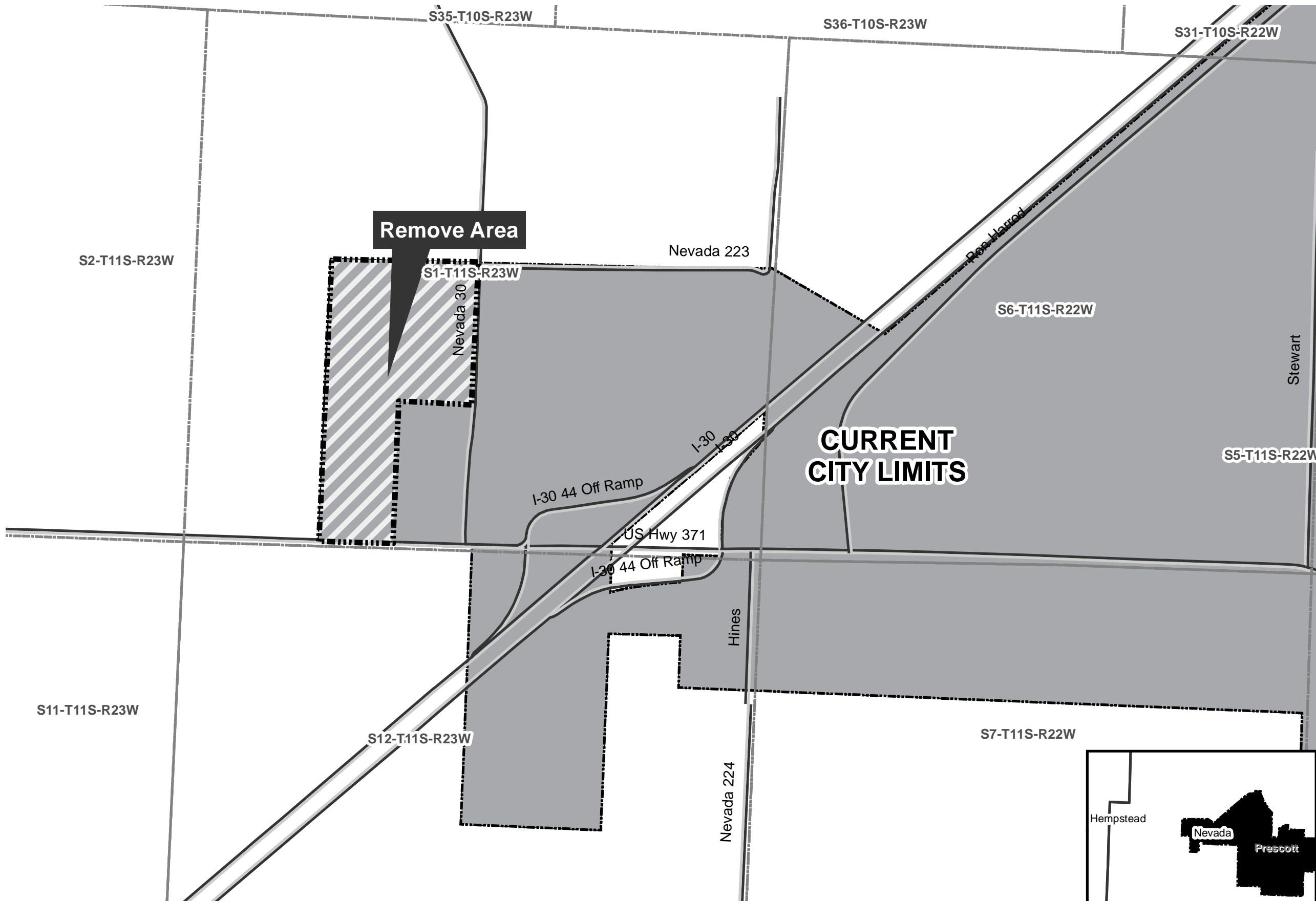
Geometry Correction: City of Prescott
February 2020

City: Prescott
Mayor: Terry Oliver

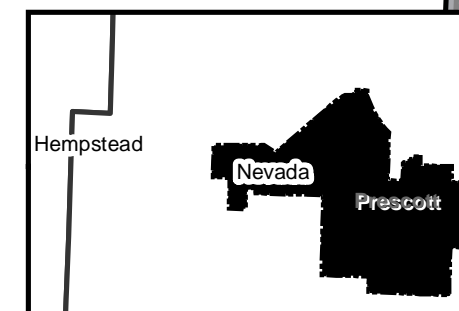
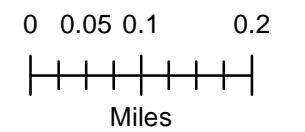
Arkansas Code 14-40-101.

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



- Boundary Correction
- Sections
- Minor Road
- Existing City
- Neighboring City
- County Boundary



IN THE COUNTY COURT OF NEVADA COUNTY, ARKANSAS

IN THE MATTER OF THE ANNEXATION

OF

33

TERRITORY TO THE CITY OF PRESCOTT,
NEVADA COUNTY, ARKANSAS

PETITION FOR ANNEXATION

To the County Court of Nevada County, Arkansas:

1.

We, the undersigned, respectfully request the County Court of Nevada County, Arkansas, to annex the following described lands situated in Nevada County, Arkansas, to the incorporated City of Prescott, Nevada County, Arkansas, to-wit:

All that part of the Southwest Quarter of Section 6, Township 11 South, Range 22 West, more particularly described as follows: Commence at the Southeast corner of the SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of said Section 6, and run thence South 89 degrees and 26 minutes West along the South line of said Section 6 for a distance of 1952.88 feet TO THE POINT OF BEGINNING OF THIS TRACT OF LAND, from which point run thence North 20 minutes East for 1672.76 feet to a fence, thence run North 62 degrees and 26 minutes West for 1057.99 feet along said fence, thence run North 64 degrees and 40 minutes West along said fence for 700.18 feet, thence run North 66 degrees and 6 minutes West along said fence and into the right of way of the county road for a distance of 337.38 feet to a point on the West line of the NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of said Section 6 which is situated 22.40 feet South and 20 minutes West of the Northwest corner of the SW $\frac{1}{4}$ of said Section 6, thence run South 20 minutes West on the West line of said Section 6 for 2617.60 feet, more or less, to the Southwest corner of the SW $\frac{1}{4}$ of said Section 6, thence run North 89 degrees and 26 minutes East on the South line of the SW $\frac{1}{4}$ of said Section 6 for a distance of 1884.95 feet to the point of beginning of this tract of land, containing 93.479 acres, more or less, the title to said lands being vested in Morris H. Mills and Mary B. Mills, husband and wife; and

All that part of the $W\frac{1}{2}$ of $NE\frac{1}{4}$ of $NE\frac{1}{4}$ of Section 12, Township 11 South, Range 23 West, more particularly described as follows: Commence at the Northeast corner of the $NE\frac{1}{4}$ of $NE\frac{1}{4}$ of said Section 12 and run thence South along the East line of said $NE\frac{1}{4}$ of $NE\frac{1}{4}$ for 800 feet, thence run South 88 degrees West for a distance of 665 feet to a point on the East line of the $W\frac{1}{2}$ of $NE\frac{1}{4}$ of $NE\frac{1}{4}$ of said Section 12, which point is the point of beginning of this tract of land, thence run South 88 degrees West for 665 feet to a point on the West line of said $W\frac{1}{2}$ of $NE\frac{1}{4}$ of $NE\frac{1}{4}$ of said Section 12, thence run North along the West line of said $W\frac{1}{2}$ of $NE\frac{1}{4}$ of $NE\frac{1}{4}$ for 400 feet to a point located upon the Southeast right of way line of Interstate Highway No. 30, thence run North 72 degrees and 29 minutes East along the Southeast right of way line of said Interstate Highway No. 30 for 125 feet, thence run North 84 degrees 36 minutes and 40 seconds East along the Southeast right of way line of said Interstate Highway No. 30 for 544.5 feet, more or less, to a point on the East line of the $W\frac{1}{2}$ of $NE\frac{1}{4}$ of $NE\frac{1}{4}$ of said Section 12 which is located 468.6 feet North of the point of beginning of this tract of land, thence run South along the East line of said $W\frac{1}{2}$ of $NE\frac{1}{4}$ of $NE\frac{1}{4}$ of said Section 12 for 468.6 feet to the point of beginning, containing 6.66 acres, more or less, title to said lands being vested in Morris H. Mills and William B. Mills; and

The $W\frac{1}{2}$ of $NE\frac{1}{4}$ of Section 12, Township 11 South, Range 23 West, containing 80 acres, more or less, title to said land being vested in Morris H. Mills and Mary B. Mills, husband and wife.

2.

The undersigned Morris H. Mills, Mary B. Mills, and William B. Mills constitute a majority of the real estate owners of the above described lands in that the undersigned are the owners of all of the above described lands.

3.

The above described lands are contiguous to and adjoin the present corporate limits of the City of Prescott, Nevada County, Arkansas, and represent the actual growth of the City of Prescott beyond its legal boundaries.



State of Arkansas
SECRETARY OF STATE

plotted on mylar
10/27/08 LH

Sharon Priest
SECRETARY OF STATE

February 27, 1996

The Honorable Julie Stockton
County and Probate Clerk
Nevada County
Prescott, AR 71857

Dear Ms. Stockton:

This office has received the Decree of Annexation, Ordinance No. 8 of 1995, County Order No. CC-95-24, and the plat from the City of Prescott, Nevada County, Arkansas. This annexation has been recorded and filed as of February 27, 1996.

If we may be of further service, please contact our office at 682-5070 or 800-482-1127.

Sincerely,

Judy Steelman
Elections Assistant

cc: The Honorable Sandy Cason
City of Prescott Clerk/Treasurer
P. O. Box 676
Prescott, AR 71857

Mr. Don Zimmerman, Director
Arkansas Municipal League
P. O. Box 38
North Little Rock, AR 72115-0038

State Capitol • Little Rock, Arkansas 72201-1094 • (501) 682-1010

SECTION 4. NON-UTILITY SERVICES. The citizens of the City of

AN ORDINANCE ACCEPTING THE ANNEXATION
OF CERTAIN LANDS IN NEVADA COUNTY, ARKANSAS
TO THE CITY OF PRESCOTT, ARKANSAS, AND FOR OTHER PURPOSES

WHEREAS, the majority in number of the total owners who also owned more than a majority in total acreage of the hereinafter described real estate petitioned the Nevada County Court to approve the annexation of the hereinafter described property to the City limits of City of Prescott, Arkansas; and

WHEREAS, the Nevada County Court after due process and formal public hearing and in accordance with the Arkansas law by Order entered on September 29, 1995, approved the Petition to Annex the hereinafter described property to the City limits of the City of Prescott, Arkansas;

WHEREAS, the Council for the City of Prescott has determined that the hereinafter described property approved for annexation is adaptable for City use and is contiguous to and a natural extension of the existing City limits of the City of Prescott and it is in the best interest of the City of Prescott and its citizens, that the hereinafter described real estate be annexed to the City limits of the City of Prescott;

WHEREAS, more than 30 days have elapsed since said order by the Nevada County Court was entered, and no notice of objection thereto has been filed and no proceedings have been instituted to prevent said annexation, and said order of annexation has become final; and

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

SECTION 1. ANNEXATION. The real estate lying and being situated in Nevada County, Arkansas, and described in Exhibit "A" to this Ordinance which Exhibit is incorporated herein by reference verbatim, shall be and the same is hereby accepted to become a part of and is hereby annexed to and an official part of the City Limits of the City of Prescott, Arkansas; and the City of Prescott agrees to hereby assume jurisdiction over said territory.

SECTION 2. ZONING CLASSIFICATION. Pursuant to the terms and provisions of City of Prescott Zoning Ordinance Number 1 of 1979, the above described real estate being annexed to the City of Prescott shall be classified as R-1 Residential District for a period of one year until the City of Prescott Planning Commission and the City Council for the City of Prescott have had an opportunity to properly determine the appropriate classification for all portions of the hereinabove described annexed property in the manner set forth in Article 5-1 of Ordinance No. 1 of 1979.

SECTION 3. UTILITY SERVICES. To allow ample time to construct, install and provide water, sewer and electrical services to all of the citizens residing in the hereinabove annexed property, the City of Prescott shall not be required to provide such utilities to the citizens of the hereinabove annexed property for a period of three (3) years from the date of the adoption of this Ordinance.

SECTION 4. NON-UTILITY SERVICES. The citizens of the City of Prescott inhabiting the hereinabove described annexed property shall immediately be entitled to all police, fire, solid waste collection and disposal, and all other non-utility services normally and customarily afforded to the citizens of City of Prescott, Arkansas, immediately upon adoption of this Ordinance.

SECTION 5. REPEALING CLAUSE. All Ordinances or parts of Ordinances in conflict herewith shall be and the same are hereby repealed.

SECTION 6. SEPARABILITY. It is the intention of the City Council that this Ordinance and every provision thereof, shall be considered separable; and the invalidity of any section, clause, provision or part or portion of any section, clause or provision of this Ordinance shall not effect the validity of any other portion of this Ordinance.

SECTION 7. EMERGENCY. The hereinabove described property having been approved for annexation by the Nevada County Court it is imperative for the citizens of the annexed area and the City of Prescott to adopt this Ordinance to accept said annexed property in order to commence planning and construction to provide all services needed for the citizens inhabiting said annexed area; and this Ordinance being necessary for the public peace, health and safety of the citizens of Prescott, Arkansas, an emergency is declared to exist and this Ordinance shall be fully enforceable and effective from and after its adoption and publication.

This Ordinance is adopted by the City Council for the City of Prescott in regular session on this 18th day of December, 1995.



HOWARD TAYLOR, MAYOR

ATTEST:



SANDRA CASON, CITY CLERK
AND RECORDER

Tract 1: A part of Section 5 and part of Section 6, both in T11S - R22 W, a part of Section 31 and a part of Section 32, both in T10S-R22W, Nevada County, Arkansas, for Annexation into the City of Prescott, described as follows: Commence at the SE corner of Section 5-T11S-R22W and run

- Thence North 02 degrees 02 minutes 04 seconds East for a distance of 660.10 feet to the point of beginning,
- Thence North 87 degrees 43 minutes 13 seconds West for a distance of 1326.67 feet along the North line of S $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$,
- Thence South 01 degrees 50 minutes 38 seconds West for a distance of 665.69 feet to the South line Section 5,
- Thence North 87 degrees 51 minutes 15 seconds, West for a distance of 1325.76 feet along South Line Section 5,
- Thence North 01 degrees 41 minutes 03 seconds East for a distance of 670.05 feet,
- Thence North 88 degrees 12 minutes 47 seconds West for a distance of 1292.21 feet along North line S $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$,
- Thence North 88 degrees 35 minutes 29 seconds West for a distance of 1310.02 feet along North Line S $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$
- Thence South 01 degrees 53 minutes 32 seconds West for a distance of 405.05 feet along Section line,
- Thence North 88 degrees 14 minutes 53 seconds West for a distance of 330.00 feet,
- Thence North 01 degrees 53 minutes 32 seconds East for a distance of 1075.34 feet to the North line of SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 6-T11S-R22W,
- Thence North 88 degrees 14 minutes 28 seconds West for a distance of 1011.01 feet along North line SE $\frac{1}{4}$ SE $\frac{1}{4}$,
- Thence South 01 degrees 28 minutes 49 seconds West for a distance of 1305.32 feet to the West right of way of the Prescott and Northwestern Railroad,
- Thence North 42 degrees 25 minutes 13 seconds West for a distance of 1162.55 feet along west R/W to a Curve to the left,
- Thence along a curve to the left having a radius of 5741.41 feet and an arc length of 2083.28 feet, being subtended by a chord of North 52 degrees 48 minutes 55 seconds West for a distance of 2071.87 feet to the South R/W Interstate I-30,
- Thence North 40 degrees 32 minutes 42 seconds East for distance of 11.65 feet to a R/W Marker,
- Thence North 49 degrees 32 minutes 00 seconds East for a distance of 502.30 feet to a R/W Marker,
- Thence North 40 degrees 04 minutes 00 seconds East for a distance of 304.10 feet to a R/W Marker,
- Thence North 49 degrees 32 minutes 00 seconds East for a distance of 782.10 feet to a R/W Marker,
- Thence North 49 degrees 32 minutes 00 seconds East for a distance of 1237.60 feet to a R/W Marker,
- Thence North 49 degrees 32 minutes 00 seconds East for a distance of 243.20 feet to a R/W Marker,
- Thence North 49 degrees 32 minutes 00 seconds East for a distance

To T30

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3090

of 947.40 feet to a R/W Marker,

Thence North 49 degrees 32 minutes 00 seconds East for a distance of 363.30 feet to a R/W Marker,

Thence North 49 degrees 32 minutes 00 seconds East for a distance of 1576.10 feet to a R/W Marker,

Thence North 49 degrees 32 minutes 00 seconds East for a distance of 850.00 feet to a R/W Marker,

Thence North 54 degrees 18 minutes 00 seconds East for a distance of 310.60 feet to a R/W Marker,

Thence North 64 degrees 26 minutes 00 seconds East for a distance of 204.90 feet to a R/W Marker,

Thence North 89 degrees 44 minutes 00 seconds East for a distance of 190.10 feet to a R/W Marker,

Thence North 89 degrees 07 minutes 44 seconds East for a distance of 234.51 feet to a R/W Marker,

Thence South 86 degrees 16 minutes 00 seconds East for a distance of 277.50 feet to a R/W Marker,

Thence South 18 degrees 37 minutes 42 seconds East for a distance of 281.17 feet to a R/W Marker,

Thence South 19 degrees 58 minutes 00 seconds East for a distance of 273.50 feet to a R/W Marker,

Thence North 68 degrees 41 minutes 00 seconds East for a distance of 200.00 feet to a R/W Marker,

Thence North 19 degrees 58 minutes 00 seconds West for a distance of 264.10 feet to a R/W Marker,

Thence North 18 degrees 37 minutes 42 seconds West for a distance of 356.17 feet to a R/W Marker,

Thence North 71 degrees 22 minutes 18 seconds East for a distance of 170.30 feet to a R/W Marker,

Thence North 02 degrees 55 minutes 26 seconds East for a distance of 251.95 feet to the North Line of NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 31-T10S-R22W,

Thence South 87 degrees 48 minutes 07 seconds East for a distance of 803.62 feet to a Fence Corner,

Thence South 02 degrees 56 minutes 44 seconds West for a distance of 310.24 feet to a Set 1/2" pipe 1000' East of Hwy 19,

Thence South 21 degrees 20 minutes 52 seconds East for a distance of 1047.43 feet to a Set 1/2" pipe 1000' East of Hwy 19,

Thence South 31 degrees 09 minutes 32 seconds East for a distance of 1664.39 feet to a Set 1/2" pipe 1000' East of Hwy 19,

Thence South 32 degrees 20 minutes 38 seconds East for a distance of 965.30 feet to a Set 1/2" pipe on the East Line of Section 5,

Thence South 02 degrees 19 minutes 41 seconds West for a distance of 3300.45 feet along the East line of Section 5 to the point of beginning, containing 939.237 acres, more or less, and as shown on the City of Prescott Survey by Crisp Surveying 12-12-95.

3587
To Inter.

Tract 2: A part of the S 1/2 of Section 1, Township 11 South, Range 23 West, Nevada County, Arkansas for Annexation into the City of Prescott, described as follows: Commence at the NE corner of

the NE 1/4 SE 1/4 of Section 1, Township 11 South, Range 23 west, for a point of beginning,

THENCE South 01 degrees 52 minutes 21 seconds West for a distance of 1130.40 feet to the North Right of Way of U.S. Interstate I-30,

THENCE South 49 degrees 32 minutes 00 seconds West for a distance of 126.14 feet to a R/W Marker,

THENCE South 49 degrees 32 minutes 00 seconds West for a distance of 908.70 feet to a R/W Marker,

THENCE South 54 degrees 00 minutes 00 seconds West for a distance of 252.50 feet to a R/W Marker,

THENCE South 62 degrees 21 minutes 00 seconds West for a distance of 211.60 feet to a R/W Marker,

THENCE South 75 degrees 28 minutes 00 seconds West for a distance of 178.90 feet to a R/W Marker,

THENCE South 81 degrees 28 minutes 29 seconds West for a distance of 728.00 feet to a R/W Marker,

THENCE South 46 degrees 23 minutes 00 seconds West for a distance of 203.90 feet to a R/W Marker,

THENCE South 17 degrees 11 minutes 00 seconds West for a distance of 194.80 feet to a R/W Marker,

THENCE North 89 degrees 06 minutes 02 seconds West for a distance of 200.19 feet to a R/W Marker,

THENCE South 00 degrees 56 minutes 13 seconds West for a distance of 95.48 feet to Centerline of Highway 24 and 371,

THENCE South 89 degrees 59 minutes 21 seconds West for a distance of 258.54 feet to the SW corner of SW 1/4 SE 1/4 Section 1, Township 11 South, Range 23 West,

THENCE North 89 degrees 07 minutes 14 seconds West for a distance of 28.01 feet,

THENCE North 02 degrees 20 minutes 22 seconds East for a distance of 1332.54 feet along West R/W of County Road,

THENCE North 01 degrees 53 minutes 01 seconds East for a distance of 1333.43 feet along West R/W of County Road,

THENCE South 86 degrees 25 minutes 06 seconds East for a distance of 34.52 feet to NW corner NW 1/4 SE 1/4 Section 1, Township 11 South, Range 23 West,

THENCE South 89 degrees 05 minutes 23 seconds East for a distance of 1335.08 feet,

THENCE South 89 degrees 05 minutes 23 seconds East for a distance of 1335.08 feet to a Bridge Spike and the point of beginning, containing 126.196 acres, more or less, and as shown on the City of Prescott Survey by Crisp Surveying 12-12-95.

TRACT 3: A part of the SE 1/4 SE 1/4 Section 1, Township 11 South, Range 23 West, Nevada County, Arkansas for Annexation into the City of Prescott, described as follows: Commence at the SE corner of the SE 1/4 SE 1/4 Section 1, Township 11 South, Range 23 West, and run

THENCE North 01 degrees 52 minutes 21 seconds East for a distance of 115.44 feet to the point of beginning,

THENCE North 89 degrees 00 minutes 40 seconds West for a distance of 231.15 feet to a R/W Marker and the South R/W of I-30,

THENCE North 01 degrees 03 minutes 00 seconds East for a distance of 133.70 feet to a R/W Marker,

THENCE North 10 degrees 56 minutes 00 seconds East for a distance of 359.80 feet to a R/W Marker,

THENCE North 25 degrees 50 minutes 00 seconds East for a distance 182.30 feet to a R/W Marker,

THENCE North 37 degrees 20 minutes 00 seconds East for a distance of 176.42 feet to the East line of the SE 1/4 SE 1/4,

THENCE South 01 degrees 52 minutes 21 seconds West for a distance of 795.71 feet to the point of beginning, containing 3.074 acres, more or less, and as shown on the City of Prescott Survey by Crisp Surveying 12-12-95.

ALL OF THE HEREINABOVE SPECIFICALLY DESCRIBED THREE PARCELS OF LAND CONTAINING 1068.507 ACRES BEING DESCRIBED IN STRICT CONFORMITY WITH A SURVEY DESCRIPTION AND PLAT PREPARED BY CHRIS deFRANCE WITH CRISP SURVEYING, INC., A REGISTERED LAND SURVEYOR UNDER ARKANSAS NO. 1079 DATED DECEMBER 12, 1995.



State of Arkansas
SECRETARY OF STATE

Sharon Priest
SECRETARY OF STATE

*Done
SB*

August 2, 2000

The Honorable Julie Stockton
Nevada County Clerk
Post Office Box 621
Prescott, AR 71857

Dear Ms. Stockton:

The Following Information has been recorded and filed in the Office of the Secretary of State:

Date: 08/01/2000 County: Nevada City: Prescott

Annexation:	Ordinance No. - 1 of 2000
	Co. Order No.
	Plat - X
	Election -
	Island -
Incorporation:	Ordinance No. -
	Co. Order No. -
	Plat -
	Election -

Census Information	-
1st Class City	-
2nd Class City	-
Incorporated Town	-

I have forwarded this information to the Arkansas Municipal League. If you have any further questions please do not hesitate to contact me at 1-800-482-1127 or 682-3451.

Sincerely,

Tena Arnold
Election Services Representative

RECEIVED

OCT 02 2000

PLANNING AND RESEARCH

**CERTIFICATE OF NEVADA COUNTY CLERK
TO CONFIRM ANNEXATION**

I, Julie Stockton, being the undersigned duly elected County Clerk for Nevada County, Arkansas, do hereby certify the attached documents constitute a copy of the Plat of the 20 acres of land annexed to the City of Prescott by Order of the Nevada County Court filed on June 2, 2000, and I do further certify that the Order of the Nevada County Court approving such annexation and the plat of the annexed territory are true, correct and compared copies of the County Court Order and the Plat of the Annexed Territory on file with the Nevada County Court and a true and correct and compared copy of the City of Prescott Ordinance No. 1 of 2000, duly adopted by the City Council for the City of Prescott, Arkansas, on July 14, 2000, accepting said annexed territory to the City of Prescott on file with the City Clerk and Recorder in the official records for the City of Prescott, Arkansas. I am preparing this Certificate pursuant to Ark. Code Ann. §14-40-605 for confirmation and certification of the annexation of said territories described in said Nevada County Court Order and Plat to the City of Prescott for presentation to the Secretary of State and the Director of the Tax Division for the Arkansas Public Service Commission. I do further certify that I have forwarded a certified copy of the Order of the Nevada County Court to the City Council for the City of Prescott, Arkansas.

This Certification is signed by me on this 26th day of July, 2000.



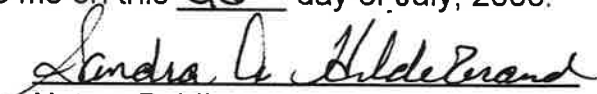
Julie Stockton, Nevada County Clerk

(SEAL)

SUBSCRIBED AND SWORN to before me on this 26th day of July, 2000.

(SEAL)





Notary Public
My Commission Expires:

7-01-09

FILED

AUG 01 2000

BY SHARON PRIEST
SECRETARY OF STATE

MRS. A. E. PITTMAN
80

EUGENE KODGER
80

MRS. A. E. PITTMAN
122
ARK. STATE HWY
34

W. M. LUSBY
57

ARK. ST.
HWY. C. 6

HWY
GLEN
HAIR

SHARON PILED
SECRETARY OF STATE

AUG 01 2000

FILED

129

58
CY
DVALL

CARL D. DALRYMPLE
JR.

HELEN

ARK. STATE

HWY 34

OLEN HENDRIX
120

B.M. 14

W. EASTER
LING 20

G.I
HOL

FAY GORDON
60

7
40
RA
PE

IN THE NEVADA COUNTY COURT

IN THE MATTER OF THE ANNEXATION
OF THE EAST HALF OF THE SOUTHEAST QUARTER
OF THE SOUTHWEST QUARTER (E 1/2 SE 1/4
SW 1/4) OF SECTION 1, TOWNSHIP 11 SOUTH
RANGE 23 WEST, 20 ACRES, NEVADA COUNTY,
ARKANSAS

FILED

AUG 01 2000

SHARON PRIEST
SECRETARY OF STATE

BY _____

ORDER GRANTING PETITION
FOR ANNEXATION

Now on this 1st day of June, 2000, came on for hearing the Petition for Annexation filed herein by Dora Katherine Koger, Michael Eugene Koger and Randal Leon Koger and this matter having been scheduled for hearing on this date after due and proper notice and based on the statements of counsel and the Petition and Exhibits and their being no objections filed herein, this Court being well and sufficiently advised on the law and premises, doth find and hold:

I.

That this Court has jurisdiction of the subject matter and parties of this Petition for Annexation.

II.

That, Dora Katherine Koger, Michael Eugene Koger and Randal Leon Koger are the owners of the East Half of the Southeast Quarter of the Southwest Quarter (E 1/2 SE 1/4 SW 1/4) of Section 1, Township 11 South, Range 23 West in Nevada County, Arkansas. That the Petition filed with the Court erroneously described a 40 acre tract with a 20 acre area reference, and it was the true intent of the owners to annex only the above described 20 acre tract. These lands are contiguous to lands which are already located within the

FILED

JUN 02 2000

John Stetson
COUNTY CLERK

city limits of the City of Prescott, Arkansas.

III.

That Dora Katherine Koger, Michael Eugene Koger and Randal Leon Koger desire for and consent to their above described land to be annexed to the City of Prescott, Arkansas, to become an official part of said City. That the land proposed for annexation is 20 acres as described in red in the Plat attached to the Petition filed of record with the County Clerk. That there are no objections to the Petition for Annexation.

IV.

That this Court finds and holds that the above described 20 acres proposed for annexation constitutes a clear extension of the growth of the City. That said land should be annexed to and become an official part of the City of Prescott, Arkansas, and said land is adaptable and necessary for use by the City of Prescott, Arkansas.

V.

That Notice of this proceeding has been provided in the manner and form required by law.

IT IS THEREFORE BY THIS COURT ORDER AND ADJUDGED, THAT the Petition for Annexation of the following lands in Nevada County, Arkansas:

East Half of the Southeast Quarter of the Southwest Quarter (E 1/2 SE 1/4 SW 1/4) of Section 1, Township 11 South, Range 23 West in Nevada County, Arkansas;

shall be and the same is hereby approved and said lands are ordered to be annexed to the City of Prescott, Arkansas, subject to the acceptance of said lands by proper Ordinance of the City Council for the City of Prescott, Arkansas.


James Roy Brown, County Judge

CITY OF PRESCOTT ORDINANCE NO. 1 OF 2000.

AN ORDINANCE ACCEPTING THE ANNEXATION
OF CERTAIN LANDS IN NEVADA COUNTY, ARKANSAS
TO THE CITY OF PRESCOTT, ARKANSAS, AND FOR OTHER PURPOSES

FILED
AUG 01 2000
SHARON PRIEST
SECRETARY OF STATE

WHEREAS, the majority in number of the total owners who also owned more than a majority in total acreage of the hereinafter described real estate petitioned the Nevada County Court to approve the annexation of the hereinafter described property to the City limits of the City of Prescott, Arkansas; and

WHEREAS, the Nevada County Court after due process and formal public hearing and in accordance with the Arkansas law by Order entered on June 1, 2000, approved the Petition to Annex the hereinafter described property to the City limits of the City of Prescott, Arkansas;

WHEREAS, the Council for the City of Prescott has determined that the hereinafter described property approved for annexation is adaptable for City use and is contiguous to and a natural extension of the existing City limits of the City of Prescott and it is in the best interest of the City of Prescott and its citizens, that the hereinafter described real estate be annexed to the City limits of the City of Prescott;

WHEREAS, more than 30 days have elapsed since said Order by the Nevada County Court was entered, and no notice of objection thereto has been filed and no proceedings have been instituted to prevent said annexation, and said Order of Annexation has become final; and

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

SECTION 1. ANNEXATION. The real estate lying and being situated in Nevada County, Arkansas, and described as follows, to-wit:

East Half of the Southeast Quarter of the Southwest Quarter (E 1/2 SE 1/4 SW 1/4) of Section 1, Township 11 South, Range 23 West in Nevada County, Arkansas;

shall be and the same is hereby accepted to become a part of and is hereby annexed to and an official part of the City Limits of the City of Prescott, Arkansas; and the City of Prescott agrees to hereby assume jurisdiction over said territory.

SECTION 2. ZONING CLASSIFICATION. Pursuant to the terms and provisions of City of Prescott Zoning Ordinance No. 1 of 1979, the above described real estate being annexed to the City of Prescott shall be classified as Commercial Use District C-2 (Highway commercial) under Article 4-2 of the City of Prescott Zoning Ordinance.

SECTION 3. UTILITY SERVICES. To allow ample time to construct, install and provide water, sewer and electrical services to all of the citizens residing in the hereinabove annexed property, the City of Prescott shall not be required to provide such utilities to the citizens of the hereinabove annexed property for a period of three (3) years from the date of the adoption of this Ordinance.

SECTION 4. NON-UTILITY SERVICES. The citizens of the City of Prescott inhabiting the hereinabove described annexed property shall immediately be entitled to all police, fire, solid waste collection and disposal, and all other non-utility services normally and customarily afforded to the citizens of the City of Prescott, Arkansas, immediately upon adoption of this Ordinance.


SECTION 5. REPEALING CLAUSE. All Ordinances or parts of Ordinances in

conflict herewith shall be and the same are hereby repealed.

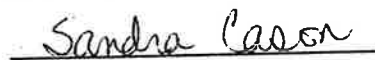
SECTION 6. SEPARABILITY. It is the intention of the City Council that this Ordinance and every provision thereof, shall be considered separable; and the invalidity of any section, clause, provision or part or portion of any section, clause or provision of this Ordinance shall not effect the validity of any other portion of this Ordinance.

SECTION 7. EMERGENCY. The hereinabove described property having been approved for annexation by the Nevada County Court it is imperative for the citizens of the annexed area and the City of Prescott to adopt this Ordinance to accept said annexed property in order to commence planning and construction to provide all services needed for the citizens inhabiting said annexed area; and this Ordinance being necessary for the public peace, health and safety of the citizens of Prescott, Arkansas, an emergency is declared to exist and this Ordinance shall be fully enforceable and effective from and after its adoption and publication.

This Ordinance is adopted by the City Council for the City of Prescott in regular session on this 17th day of July, 2000.


Howard Taylor, Mayor

ATTEST:


Sandra Cason, City Clerk
and Recorder

IN THE COUNTY COURT OF NEVADA COUNTY, ARKANSAS

IN THE MATTER OF THE ANNEXATION
OF TERRITORY TO THE CITY OF
PRESCOTT, NEVADA COUNTY, ARKANSAS

PETITION FOR ANNEXATION

To the County Court of Nevada County, Arkansas:

We, the undersigned, respectfully request the County Court of Nevada County, Arkansas, to annex the following described lands situated in Nevada County, Arkansas, to the incorporated city of Prescott, Nevada County, Arkansas, to-wit:

The West One-Fourth of Section 10, Township 11 South, Range 22 West, containing 160 acres, more or less; and

Part of the E $\frac{1}{2}$ of the W $\frac{1}{2}$ of Section 10, Township 11 South, Range 22 West, more particularly described as follows: Commence at the Southwest corner of the SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of said Section 10, and run thence North 1 degree and 9 minutes East along the West line of the E $\frac{1}{2}$ of W $\frac{1}{2}$ of said Section 10 for 5,311.02 feet to the Northwest corner of the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of said Section 10, thence run South 88 degrees and 20 minutes East along the North line of said Section 10 for 500.02 feet to a point, thence run South 1 degree and 9 minutes West for 2,171.02 feet to a point, thence run South 88 degrees and 20 minutes East for a distance of 300.01 feet to a point, thence run South 1 degree and 9 minutes West for a distance of 500 feet to a point on the South line of the SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of said Section 10, thence run North 88 degrees and 20 minutes West along the South line of the SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of said Section 10 for 300.01 feet to a point, thence run South 1 degree and 9 minutes West for 2,640 feet to a point on the South line of said Section 10, thence run North 88 degrees and 20 minutes West along the South line of said Section 10 for 500.02 feet to the point of beginning, said lands containing 64.406 acres, more or less,

Said lands containing in the aggregate 224.406 acres, more or less.

The undersigned constitute a majority of the total number of owners of the real estate lying within the above described area, and own more than one-half of the acreage hereinabove described.