City: Waldron BAS Correction Historic Annex Ord 335 & CO 83-1: City of Waldron Mayor: Neil Cherry *for Census only - was already in state map S7-T3N-R29W Wintergreen Arkansas Code 14-40-101. S12-T3N-R30W S8-T3N-R29W Before an entity undertakes an Katie **Ord 335** S9-T3N-R29W consolidation, annexation, Laura detachment proceeding under this chapter, the entity shall coordinate with the Arkansas Geographic Information Water Systems Office for preparation of legal descriptions and digital mapping for the relevant annexation, consolidation, and Water detachment areas. Rose S13-T3N-R30W The map contained herein, is evidence, the entity has met requirements of Act 914 of 2015 S18-T3N-R29W **Ord 335** Meadow S16-T3N-R29W Grandstaff Vorth Existing City o animalianiani Heathe City Lake CO 83-1 Sheril S20-T3N-R29W Whitaker ® _S24-T3N-R30W ----0 0.0750.15 Cruise S19-T3N-R29W Rice Miles S21-T3N-R29W CO 83-1 PERMENTERNE kil. 2nd ARKANSAS GIS OFFICE Lower Winfield S25-T3N-R30W S30-T3N-R29W S29-T3N-R29W H:\City_Annexations\Cities\Waldron\20180801_BAS_Rejected\

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Erely Simon

IN THE COUNTY COURT OF SCOTT COUNTY, ARKANSAS

IN THE MATTER OF ANNEXING TO THE CITY OF WALDRON, ARKANSAS, CERTAIN TERRITORY LYING CONTIGUOUS TO THE SAID CITY OF WALDRON, ARKANSAS

Case No. <u>CO83-/</u>

DECREE OF ANNEXATION

On this a regular day of a regular term of the County Court of Scott County, Arkansas, there is presented to the Court by R. C. Roberds, agent of the petitioners, a petition for annexation of certain territory, hereinafter more particularly described, to the City of Waldron, Arkansas, and the Court being fully advised of the facts and the law, doth hereby find, adjudge and decree as follows:

Ι.

The Court finds that the petition was filed more than thirty (30) days prior to this date and that in said petition the said R. C. Roberds as selected by the petitioners to act on their behalf in filing and presenting the petition.

II.

The Court doth find that a majority of the total number of real estate owners in the area affected by this petition have signed said petition, and that such majority owns more than one-half of the acreage affected.

III.

The Court further finds that the territory sought to be annexed was accurately described in said petiton and that said territory is contiguous to the boundaries of the City of Waldron, Arkansas. The Court further finds that attached to and made a part of said petition is an accurate map of the territory sought to be annexed to the City of Waldron, Arkansas.

٧.

The Court further finds that the prayer of the petition is right and proper.

IT IS, THEREFORE, BY THE COURT CONSIDERED, ORDERED, ADJUDGED AND DECREED that the following described territory be and the same is hereby annexed to and made a part of the City of Waldron, Arkansas, to-wit:

The Southeast Quarter of the Southwest Quarter of Section 20, Township 3 North, Range 29 West, LESS AND EXCEPT the North 210 feet thereof;

The Southeast Quarter of the Northwest Quarter of Section 29, Township 3 North, Range 29 West;

Part of the Northeast Quarter of the Northwest Quarter of Section 29, Township 3 North, Range 29 West, described as follows: Beginning at the Southeast Corner of said forty and run thence North on the East line thereof a distance of 1145 feet for a place of beginning; run thence West 815 feet; thence South 1145 feet to a point on the South line of said forty; thence West on the South line of said forty a distance of 505 feet, more or less, to the Southwest corner of said forty; thence North on the West line of said forty a distance of 1320 feet, more or less to the Northwest Corner of said forty; thence East on the North line of said forty a distance of 1320 feet, more or less, to the Northeast corner of said forty; thence South on the East line of said forty a distance of 175 feet, more or less, to the place of beginning;

Part of the Southwest Quarter of the Northeast Quarter of Section 29, Township 3 North, Range 29 West, described as follows: Beginning at a point which is 1/2 mile West and 1/2 mile South of the center of the Public Square of the City of Waldron, Arkansas, and run thence East to a point which is 340 feet West of the East line of said forty; thence South 478 feet; thence West 980 feet to a point on the West line of said forty; thence North on the West line of said forty a distance of 825 feet, more or less, to the Northwest corner of said forty; thence East on the North line of said forty to a point which is directly North of the place of beginning; thence South to the place of beginning;

Part of the Northwest Quarter of the Northeast Quarter of Section 29, Township 3 North, Range 29 West, described as follows: Beginning at the center of the Public Square in the City of Waldron, Arkansas, and run thence West 1/2 mile; thence South to a point 125 feet South of the center line of Church Street, for a place of beginning; run thence West to a point on the West

line of said Northwest Quarter Northeast Quarter; thence South on the said West line to the Southwest corner of said forty; thence East on the South line of said forty to a point which is directly South of the place of beginning; thence North to the place of beginning;

All that part of the Northeast Quarter of the Southwest Quarter of Section 20, Township 3 North, Range 29 West, lying North and East of the Southwest right-of-way of the Arkansas Western Railroad;

All that part of the Southeast Quarter of the Northwest Quarter of Section 20, Township 3 North, Range 29 West, lying North and East of the Southwest right-of-way of the Arkansas Western Railroad;

The Northeast Quarter of the Northwest Quarter and all that part of the North Half of the Northeast Quarter of Section 20, Township 3 North, Range 29 West, lying South and West of Poteau River;

Part of the Northwest Quarter of the Southeast Quarter, part of the Southwest Quarter of the Northeast Quarter and part of the Southeast Quarter of the Northeast Quarter in Section 20, Township 3 North, Range 29 West, described as follows: Beginning at a point in the center of the Public Square of the City of Waldron, Arkansas, and run thence West 1/2 mile, thence North 1/2 mile for a place of beginning; the same being in the Southwest Quarter of the Northeast Quarter; run thence East through the South Half of the Northeast Quarter to a point on the West bank of Poteau River; thence in a Northerly direction along and with said bank to a point where the same crosses the North line of the Southeast Quarter Northeast Quarter; thence West along and with the North line of the Southwest Quarter Northeast Quarter and the Southwest Quarter Northeast Quarter to the Northwest corner of the Southwest Quarter Northeast Quarter; thence South on the West line of the Southwest Quarter Southwest Quarter Northeast Quarter Northeast Quarter and the Northwest Quarter Southeast Quarter to a point on the South right-of-way of the Arkansas Western Railroad; thence in an Easterly direction along and with said South right-of-way to a point which is directly South of the place of beginning; thence North to the place of beginning;

All that part of the Southeast Quarter of the Southwest Quarter and the Southwest Quarter of the Southeast Quarter, lying South and West of Poteau River in Section 17, Township 3 North, Range 29 West;

All that part of the Southwest Quarter of the Northwest Quarter of Section 20, Township 3 North, Range 29 West, lying South and West of the Arkansas Western Railroad;

All that part of the Southeast Quarter of the Northeast Quarter of Section 19, Township 3 North, Range 29 West, lying South and West of the Arkansas Western Railroad.

IT IS FURTHER ORDERED that the original papers in this cause be delivered to the Clerk of Scott County, Arkansas, same to be properly recorded upon the records of Scott County, Arkansas, and the Clerk, after properly recording and filing the original papers, prepare transcripts of same; that one of the certified

transcripts be delivered to the City of Waldron,
Arkansas, one copy to the Secretary of State, and one
copy to the Director of the Tax Division of the Arkansas
Public Service Commission.

DATED this 27 day of

Mil., 1983;

County Judge

ORDINANCE NO. 335

AN ORDINANCE PROVIDING FOR ANNEXATION OF CERTAIN ADJOINING LANDS TO THE CITY OF WALDRON, ARKANSAS, FOR EMERGENCY CLAUSE AND FOR OTHER PURPOSES.

WHEREAS, the City Council of the City of Waldron, Arkansas, has been made aware that certain individuals are desirous to having certain adjoining lands annexed into the City of Waldron, Arkansas, and that the City of Waldron would benefit by accepting those certain lands and territory adjoining the City of Waldron and.

WHEREAS, Arkansas law §14-40-601, et seq, provides the procedure to be followed to allow such annexation and that the Petitioners, Jerry W. Ward, Paula Sue Ward, Worman Owens, Sharon Owens, T.B. White, I.T. Gray, Bonnie Gray, W.R. Rice, Charles Brigance, Larry Charles Rice, Terry Rice, Barbara Rice, Charles E. Goodner, and Sharon Ann Goodner, have filed said Petition for Annexation of Adjoining Lands by Owner in the County Court of Scott County, Case No. CO-94-1, and, that same was approved by the County Judge of Scott County and that same was proper and lawful;

WHEREAS, an emergency exists regarding the said annexation and allowing the persons affected thereby to enjoy all the rights and privileges of the inhabitants within the original limits of the City of Waldron,

NOW, therefore, be it ORDAINED BY THE CITY COUNCIL of the CITY OF WALDRON, ARKANSAS, to-wit:

SECTION I

That the City Council of the City of Waldron, Arkansas, agrees to accept into

the territory of the City of Waldron, Scott County, Arkansas those lands more particularly described in the above styled Petition for Annexation of Adjoining Lands by Owner, as if same were set forth word for word and same being incorporated herein by reference.

SECTION II

That the County Clerk is requested to duly certify the copy of the Court Order and a copy of this Ordinance and forward same to the Secretary of State for the State of Arkansas.

SECTION III

All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION IV

That it is necessary for the efficient operation of the City of Waldron, its citizens and businesses, that this ordinance become effective upon its passage and therefore an emergency is hereby declared to exist and this ordinance being necessary for the preservation of the public peace, health, and safety shall be in full force and effect from and after its passage.

PASSED AND PROVED this _____ day of August, 1994, by and 2/3 or more majority vote.

Jim Lassiter, Mayor

ATTEST:

Sherry Johnston, City Clerk/Treasurer

IN THE COUNTY COURT OF SCOTT COUNTY, ARKANSAS SEP 29 1994

FILED

JERRY W. WARD & PAULA SUE WARD: WORMAN OWENS & SHARON OWENS; T.B. WHITE; and I.T. GRAY & BONNIE GRAY; W.R.RICE, CHARLENE BRIGANCE, LARRY CHARLES RICE, TERRY RICE & BARBARA RICE; CHARLES E. GOODNER & SHARON ANN GOODNER 1994 JUN 15 A 10: 49 PETITROMIARS

EVERN ARMAR. BIBRTY CIRCUIT CLERI SCOTT COUNTY

Case No. CO-94-1

ORDER OF ANNEXATION OF ADJOINING LANDS BY OWNERS

Now on this 15th day of June, 1994, comes on for consideration the Petition for Annexation of Adjoining Lands by Owner by the above Petitioners, the sole legal title holders of certain real property presently situated in the County of Scott, Arkansas, praying for an Order annexing said property into the City of Waldron, Arkansas, which real property is contiguous to and adjoins the City of Waldron, Scott County, Arkansas, and which is described as Exhibit "A" to the original Petition for Annexation of Adjoining Lands by Owner, said being incorporated herein by reference as if same were set forth word for word.

The said Petition was filed pursuant to legislation codified in A.C.A. §14-40-601, et seq. Venue is in the County Court of Scott County, Arkansas, pursuant to A.C.A. §14-40-601(a).

WHEREUPON, the matter proceeded to a hearing, and the Court, after considering the said Petition and being fully advised in the premises, finds:

1. The Notice of the filing of said Petition and the date and time of this hearing have been properly given by publication in a newspaper having a general circulation within Scott County, Arkansas, once a week for three consecutive weeks in accordance with A.C.A. §14-40-602. The Court has jurisdiction, venue is properly in Scott County where the property is situated, and this Court has authority to act on the Petition for Annexation of Adjoining Lands by Owner without further notice to anyone;

- 2. The Petitioners are the sole and legal owners of the real estate in the area to be annexed;
- 3. The real estate to be annexed is contiguous to the City of Waldron, Scott County, Arkansas;
- 4. The limits of the territory to be annexed have been accurately described; and,
- 5. The prayer of the Petitioners is in all things right and proper and should in all respects be granted and approved.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED, that said Petition be, and it is hereby granted and approved in all respects on this 15th day of June, 1994, at 10:00 a.m., and it is further ordered that the above described real property shall be, and it is hereby ordered annexed into the City of Waldron, Scott County, Arkansas.

County Judge for Scott County

IN THE COUNTY COURT OF SCOTT COUNTY, ARKANSAS

JERRY W. WARD & PAULA
SUE WARD; WORMAN OWENS
& SHARON OWENS; T.B. WHITE;
I.T. GRAY & BONNIE GRAY; W.R. RICE,
Charlene Brigance , LARRY CHARLES RICE,
TERRY RICE & BARBARA RICE; CHARLES E.
GOODNER & SHARON ANN GOODNER

POLITY CHECK TERM OF STATE EVELYN AMADIS, COUNTY CIRCUIT CLERK

Case No. Co- 94-1

PETITION FOR ANNEXATION OF ADJOINING LANDS BY OWNER

Come the Petitioners, Jerry W. Ward & Paula Sue Ward, Worman Owens & Sharon Owens, T.B. White, I.T. Gray & Bonnie Gray, W.R. Rice, Charlene Brigance, Larry Charles Rice, Terry Rice & Barbara Rice, Charles E. Goodner & Sharon Ann Goodner, and for their Petition to the County Court of Scott County, Arkansas, for Annexation of Adjoining Lands by Owner, states as follows:

I.

Petitioners are residents of Scott County, Arkansas, that the real property sought to be annexed is located in Scott County, Arkansas.

II.

This petition is being filed pursuant to A.C.A. § 14-40-601, et seq., and therefore venue is in the County Court of Scott County, Arkansas pursuant to A.C.A. § 14-40-601(a). This Court has juridiction of this matter.

III.

Petitioners are the sole owners of certain real property that adjoins the City of Waldron, Arkansas, said real property lying within the Scott, County, Arkansas,

and being more particularly described as follows:

See attached Exhibit "A".

That attached hereto as Exhibit "B" and by this reference made a part of this Petition is an accurate map of the territory which depicts the boundary lines of the City of Waldron, Arkansas, as they currently exist and as they relate to the property owned by the Petitioners. That said property should be annexed to the City of Waldron.

IV.

The real property herein described for which Petitioners seek annexation into the City of Waldron is owned solely be the Petitioners.

WHEREFORE, Petitioners pray that the territory herein above described be annexed into the City of Waldron, Arkansas, and that Petitioner be granted all other relief to which it may be entitled.

Respectfully submitted.

Jerry W. Ward & Paula Sue Ward, Worman Owens & Sharon Owens, T.B. White, I.T. Gray & Bonnie Gray, W.R. Rice, Charlene Brigance, Larry Charles Rice, Terry Rice, Barbara Rice, Charles E: Goodner and Sharon Ann Goodner, Petitioners.

Counsel:

James B. Pierce Attorney at Law P.O. Box 1604 Fort Smith, AR 72902

(501)785-5313

James B. Pierce Ark. Bar No. 86143

Petitioners:

| By: | Jerry W. Ward, Petitioner |
|-------|---|
| By: | Paula Sue Ward Paula Sue Ward, Petitioner |
| By: | Worman Owens, Petitioner |
| By: , | Sharon Owens, Petitioner |
| By: | T.B. White, Petitioner |
| By: | I.T. Gray, Petitioner |
| By: | Bonnie Gray, Petitioner |
| By: | W. R. Rice, Petitioner |
| By: (| Charlene Brigance, Petitioner |
| By: | Larry Charles Rice Petitioner |
| By: | Jeny W. Kice Terry Rice, Petitioner |
| By: | Barbara Rice, Petitioner |
| By: | Charles E. Goodner, Petitioner |
| By: | Sharon Ann Goodner, Petitioner |

CAPTION

A part of the NWL NWE Section 26, township 3 north, range 29 west, described as beginning at a point on the south right of way line of Highway No. 80, which is 349 feet east of the west line of said forty: run thence south along a fence 416 feet, thence east 208 feet, thence north 410 feet to the south line of Highway No. 80, thence west along said highway to the point of beginning (Jerry W. Ward & Paula Sua, Ward)

Part of the SW% SW% Section 29, Township 3 North, Range 29 West, described as follows: Beginning at the north-west corner of the SW% SW% and run thence south along and with the west line of said forty a distance of 1313.36 feet, which said point is 515.56 feet north of the south-west corner of said forty, run thence north 89 degrees 51 minutes 15 seconds east a distance of 426.92 feet, thence north 01 degree 15 minutes 52 seconds west a distance of 772.72 feet, more or less, to a point on the north line of said forty, run thence west along and with said north line of said forty a distance of 410.58 feet, more or less, to the northwest corner of said forty, the place of peginning. Containing 7.54 acres, more or less.

(Worman Owens & Sharon Owens)

Seven Acres off the North side of the SWA of the NUM of Section 17 in Township 3 North, Names 29 West, being a strip of land 14 Rods wide from North to South acress the North side of said forty cores tract, containing 7 acres, nore or loss.

(T.B. White)

All that part of the Northwest Quarter of the Northeast Quarter of Section 17, Township 3 North Range 29 West, lying west of Highway No. 71, as the same now runs across said forty acre tract.

(I.T. Gray & Bonnie Gray)

Beginning at the northeast corner of the NW% NW% Sec.17, running thence south along the east line of said NW% NW% and SW% NW% Sec.18, to a point 25 rods south of the NE corner of the said SW% NW%, run thence west 410 feet to a stake at the head of a drain, thence westerly down said drain to where it empties into Square Rock Creek, thence in a northerly direction along Square Rock Creek, to the north line of the NW% NW% Sec.17, thence east with the said north line to the place of beginning,

LESS AND EXCEPT a tract heretofore conveyed to Larry Charles Rice and Barbara Rice, described as beginning at the northeast corner of the SWk NWk and run west 9 degrees 3 minutes north a distance of 50.5 feet, to a one-half inch iron stake for a place of beginning; run thence north 8 degrees 39 minutes east a distance of 90.5 feet, along and with the west line of Highway Number 71, Waldron by-pass, thence north 88 degrees 30 minutes west a distance of 382.6 feet, thence south 2 degrees 50 minutes west, a distance of 184.5 feet, thence south 87 degrees 00 minutes east a distance of 366.0 feet to a point on the west line of said Highway Number 71, thence north 7 degrees 52 minutes east with the west right of way a distance of 104.3 feet to the place of beginning, 1.62 acres, more or less excepted. being conveyed about 59 acres, more or less

(W.R. Rice)

All that Part of the SWk SWk of Section 8, Township 3 North, Range 29 West, lying East of Square Rock Creek, 20 acres, more or less.

The SE% SE% Section 7, and all that part of the SW% SW% Section 8, lying West of Square Rock Creek, containing 60 acres, more or less, all in Township 3 North, Range 29 West.

(Larry Charles Rice & Barbara Ann Rice)

Part of the NW% NW% and part of the SW% NW% Section 17, Township—3 North, Range 29 West, described as follows: Beginning at the northeast corner of the SW% NW% and run thence west 9 degrees 03 minutes north a distance of 50.5 feet to a one-half inch iron stake for a place of beginning; run thence north 8 degrees 39 minutes east a distance of 90.5 feet, along and with the west line of Highway Number 71, Waldron by-pass, thence north 88 degrees 30 minutes west a distance of 382.6 feet, thence south 2 degrees—50 minutes west, a distance of 184.5 feet, thence south 87 degrees 00 minutes east a distance of 366.0 feet to a point on the west line of said Highway Number 71, thence north 7 degrees 52 minutes east with the west right of way a distance of 104.3 feet to the place of beginning, containing 1.62 acres, more or less.

The grantors reserve, for themselves, their heirs and assigns, a right of way 30 feet wide, for roadway purposes, said right of way to run in a generally northerly southerly direction at the east side of the above described property.

The purpose of this instrument is to correct a prior conveyance by and between the parties hereto dated May ____, 1973, and set forth in Deed Record Book 129, page 406 and this instrument is executed, delivered and recorded in lieu of said prior conveyance.

The NE% NE% of Section 18, lying West of Square Rock Creek; All that part of the NW% NW% of Section 17, lying West of Square Rock Creek, and all that part of the SE% NE% of Sec. 18, lying West of Square Rock Creek, and North of the Poteau River, all in Township 3 North, Range 29 West. LESS AND EXCEPT 2 acres located in the NW corner of the NE% NE% Sec. 18, Twp. 3 N., Range 29 W, more particularly described as beginning at the NW corner of the NE% NE% and run thence East along the North boundary line a distance of 295 feet; thence. South 295 feet; thence West 295 feet to the West boundary line and thence North along said boundary line 295 feet to the place of beginning. Conveying herein 70 acres, more or less.

(Larry Charles Rice & Barbara Ann Rice)

a part of the NE% NW% Sec.17, twp.3 N.R.29 W, more particularly described as beginning at a point where the east right-of-way. line of Highway 71 bypass, as now fenced, crosses the south boundary line of said forty, run bence northerly along and with the by-pass fence to a point which is 500 feet northerly from the south line of the access road to said property, run thence east 250 feet, thence south to the south line of said forty, thence west along the south line of said forty to the place of beginning -aubject to any encroachment along the south side thereof. Grantors reserve an easement 40 feet .wide.along.the..fence..on..the west side..of the said tract,...and...... a 40 foot easement near the south side of said tract. The easement is for road and utility purposes for benefit of grantors, their heirs and assigns, and is a covenant running with the land. This conveyance is made in lieu of and to replace a deed between the same parties, dated June 20,1977 recorded in deed record book 143 at page 55, in which there was an error in the description.

All that part of the NEt NWt Section 17, twp.3 North Range 29 West, lying east of Highway No.71 By-pass, except that tract already conveyed, to the said Charles Goodner and Sharron Goodner in a prior conveyance;

Also hereby conveying to said grantees all of the oil gas and/or mineral rights in and to the right of way of Highway No.71 By-pass. together with any and all rights-of-way retained by grantors in former deeds to the same grantees

it being the intention herein to convey any and all rights of whatever nature we might have in and to all of the NE NW Sec. 17, Twp. 3 N.R. 29 West, except that tract lying west of Highway No. 71 By-pass

All of the SE's SW's Section 8, except ? acres more or less haratofore conveyed to Will Self, and all of the SW's SE's Section 8, Township 3 North Bange 29 West, lying

west of Highway No. 71 (old) and
LESS AND EXCEPT the surface only of the highway bypess than ing across said tracts and LESS AND EXCEPT all that part of said tracts lying south at a certain greek running across the South part of said land.

This instrument includes any and all gil and say rights conveyed by Charlys Davidson to Norman Goodner and Porgety Goodner on April 20 1881: rescribe in thook 173, page 149
SUBJECT HOWEVER, to the reservation by the granter herein of late, the gil and gas rights, with the right to lease and collect royalties thereon on the shove tracts for and during the natural life of the granter herein with the right to lease and collect royalties thereon.

This instrument is being made to correct an earlier deed dated April 97 1999 in which the Township and Range was left off. All of the above property being in Township 3 North Range 99 West