

ORDINANCE NO. 2008-

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MARY L SLINKARD CO & PROBATE CLERK BENTION COUNTY AR

TOWN OF HIGHFILL, BENTON COUNTY, ARKANSAS

BENTON COUNTY AN ORDINANCE ACCEPTING THE ANNEXATION INTO THE TOWN OF HIGHFILL, ARKANSAS, OF CERTAIN LANDS OWNED BY GARRY MCGARRAH, JOHN W. MCKIRCH SR., EDNA LUCILLE MCVAY, LEROY FLEEMAN, AMANDA & SCOT COPELAND, RIVER BLUFF AT LITTLE OSAGE, LLC, LEAH CLARK, RUBEN & DONNA GONZALEZ, TATUM OWENBY JAYNE R. REINHART, BRADEN YOAKUM, DEBBIE CARLTON, RUSS MURPHY, B & M INVESTMENTS, CARLEEN KELLEY, SCOTT HARRIS, HAROLD TIMBOE, PAUL EILAND, STEVE HOPKINS, MIKE MOUNCE, KELLY MORLEY, DEBORAH MARY DAVIS, CONTIGUOUS TO AND STEVENS AND ADIOINING THE TOWN. AND MAKING SAME A PART OF THE TOWN OF HIGHFILL, BENTON COUNTY, ARKANSAS.

WHEREAS, a Petition for Annexation was filed on January 3, 2008, with the County Clerk of Benton County, Arkansas, by Garry McGarrah, John W. McKirch Sr., Edna Lucille-McVay, Leroy Fleeman, Amanda & Scotty Copeland, River Bluff at Little Osage, LLC, Leah Clark, Ruben & Donna Gonzalez, Tatum Owenby, Jayne R. Reinhart, Braden Yoakum, Debbie Carlton, Russ Murphy, B & M Investments, Carleen Kelley, Scott Harris, Harold Timboe, Paul Eiland, Steve Hopkins, Mike Mounce, Kelly Morley, Deborah Stevens and Mary Davis, as the owners of the hereinafter described lands, praying that said territory be annexed into, and made a part of the Town of Highfill, Arkansas; and,

WHEREAS, on February 5, 2008, the County Court of Benton County, 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 Town of Highfill, 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 lands and territory should be annexed to and made a part of the Town of Highfill, Arkansas, subject to the acceptance of same by the Town Council of said Town at the proper time, as provided by law; and

Annexation Ordinance (McGarrah, et al)

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WHEREAS, the time fixed by law for appealing from the Decree of Annexation made by the Benton County Court has expired and no appeal has been taken from said Decree.

NOW THEREFORE, BE IT ENACTED, by the Town Council of the Town of Highfill, as follows:

Section 1. The following described lands and territory contiguous to and adjoining the Town of Highfill, Arkansas, be, and the same is hereby accepted as part of and annexed into and made a part of the Town of Highfill, Arkansas, to-wit:

[SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.]

Section 2. A certified copy of this Ordinance shall be transmitted to the Benton County Clerk for transmittal to the Arkansas Secretary of State, as provided by Arkansas Code Annotated § 14-40-605.

Section 3. This Ordinance shall become effective immediately upon its passage, authentication and publication, as provided by law.

PASSED AND APPROVED this 13th day of March, 2008.

APPROVED:

Chris Holland, Mayor

ATTEST Stac∀ Digby) Town/Recorder-Treasurer (SEAL)





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"Exhibit A" (page 1 of 2, McGarrah etal 2008-01)

All Lots Beau Chalet Subdivision to Benton County Arkansas, as shown on plat record 2006 at page 375 in the office of the Circuit Clerk and Ex-officio recorder of Benton County, Arkansas.

And Also

Lots 1 through 16, Block 6, Original Town of Healing Springs, Benton County cord A at page 91.

And Also

Lot 12, Block 7, Original Town of Healing Springs, Benton County, Arkansas, plat record A at page 91. TOWN OF HIGHFILL

And Also

Lots 13, 14, 15, 16, 17 and 18, all in Block 7, Original Town of Healing Springs, Benton County, Arkansas, plat record A at page 91.

And Also

Lots 2, 3, 6, 7, 10, 11 Block 2 and the West 90 feet of Lots 1, 4, 5, 8, 9, and 12, Block 2, Original Town of Healing Springs, Benton County, Arkansas, plat record A at page 91.

And Also

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11, in Block 7, all in the Original Town of Healing Springs, Benton County, Arkansas, Plat Record A at page 91.

Also an easement for ingress and egress across the 60 foot street between Blocks 7 and 8, of the Original town of Healing Springs, said easement described as beginning at the SE corner of Lot 1 of Block 7 and running thence South to the public road; thence East 60 feet to the SW corner of Lot 11 of Block 8; thence North to a point 60 feet east of the SE corner of Lot 1 of Block 7; thence West 60 feet to the point of beginning.

Also an easement for ingress and Egress across the 20 foot alley which runs East to West between the North Half and South Half of Block 7 of the Original Town of Healing Springs, said easement described as beginning at the SW corner of Lot 3 of Block 7 and running thence South 20 feet; thence East to the NE corner of Lot 18 of Block 7; thence North 20 feet to the SE corner of Lot 1, Block 7; thence West to the point of beginning.

And Also

The South Half of Lots 17 and 18, in Block 6 in the Original Town of Healing Springs, Benton County, Arkansas, Plat Record A at page 91. Also a strip of ground on the west side of a ditch running paralle near the center of the South Half of Lot 1 in Block 6, approximately 10 feet wide joining and the

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"Exhibit A" (page 2 of 2, McGarrah etal 2008-01)

west side in the Town of Healing Springs, Benton county, Arkansas, all in Section 9, Township 18 Range 31 West.

And Also

Part of the E1/2 of the SW1/4 of Section 3, Township 18 North, Range 31 West, Described as beginning at the SW corner of said E1/2 of the SW1/4; thence East 224 feet; thence North 485 feet; thence Northwesterly 430 feet to a point 50 feet East of the West line of said E1/2 of the SW1/4; thence North to the North line of the SE1/4 of said SW1/4; thence Northwesterly to a point on the west line of said E1/2 of the SW1/4 at a point 50 feet North of the SW corner of the NE1/4 of said SW1/4; thence South 1370 feet to the point of beginning.

Also

The SW1/4 of the SW1/4 of Section 3, Township 18 North, Range 31 West, Part of the N1/2 of the

NW1/4 and part of the NW1/4 of the NE1/4 of Section 10, Township 18 North, Range 31 West described as beginning at the NW corner of the NE1/4 of the said NW1/4; thence East 21 chains 20 links to the center of Osage Creek; thence along said creek South 5 degrees East 2 chains and 82 links; thence South 34 degrees East 2 chains 24 links; thence South 9 degrees West 3 chains 33 links; thence South 6 degrees East 3 chains 27 links; thence South 13 ½ degrees West 1 chain and 50 links; thence South 35 degrees West 2 chains 30 links; thence North 30 ½ degrees West 2 chains 48 links; thence West 2 chains 20 links; thence westward along the right-of-way of K.C. & M.R.R. 27 chains 30 links; thence North 1 degree 11 chains and 75 links to the North line of said Section 10; thence East 12 chains 77 links to the North line to the point of beginning. EXCEPT all that part contained within the following description Part of the NW1/4 of the NE1/4 and part of the NE1/4 of the NW1/4 beginning South 89 degrees 59'55" West 577.67 feet from the NE corner of the said NW1/4 of the NE1/4 in the centerline of a county road; thence leaving said county road South 89 degrees 59'55" West 707.47 feet; thence South 06 degrees 19'06" East 618.75 feet; thence South 50 degrees 26'22" West 729.33 feet to the centerline of State Highway 264; thence along said centerline South 76 degrees 48'39" East 698.52 feet; thence South 81 degrees 18'20" East 164.93 feet; thence leaving said centerline North 09 degrees 02'55" East 638.14 feet along the centerline of a county road; thence North 17 degrees 17'32" East 328.51 feet along said centerline; thence North 26 degrees 38'38" East 357.87 feet to the point of beginning.

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