

2004 SEP - 8 PM 1:22
PATTON
COUNTY & PROBATE CLERK
CRAWFORD COUNTY, AR

FILED

IN THE CRAWFORD COUNTY COURT IN THE MATTER OF ANNEXING
TO THE CITY OF MULBERRY, ARKANSAS, CERTAIN TERRITORY
CONTIGUOUS TO THE SAID CITY OF MULBERRY, ARKANSAS.

CRAWFORD COUNTY CASE # 2004-226

PETITION

We, as property owners of the following described area, do hereby petition the County Court of Crawford County, Arkansas to annex the following lands to the City of Mulberry, Arkansas. We further state that the petition is signed by a majority of the real estate owners owning more than one-half of the acreage in said area, and do further by our petition appoint Mayor, Jeff Marvin to act on behalf of the petitioners in presenting this matter to the Court.

Description of the area to be annexed to the City of Mulberry, Arkansas:

The Southwest Quarter (SW ¼) of the Southwest Quarter (SW ¼) of Section 29, Township 10 North, Range 29 West, in Crawford County, Arkansas, containing 40 acres, more or less,

And

The Northwest Quarter (NW ¼) of the Northwest Quarter (NW ¼) of Section 32, Township 10 North, Range 29 West, in Crawford County, Arkansas, containing 40 acres, more or less.

PETITIONERS

ADDRESS

Joe M. Kirksey 9/1/04
Joe M. Kirksey Date

P.O. Box K
Mulberry, AR 72947

Avanelle Kirksey 9-1-04
Avanelle Kirksey Date

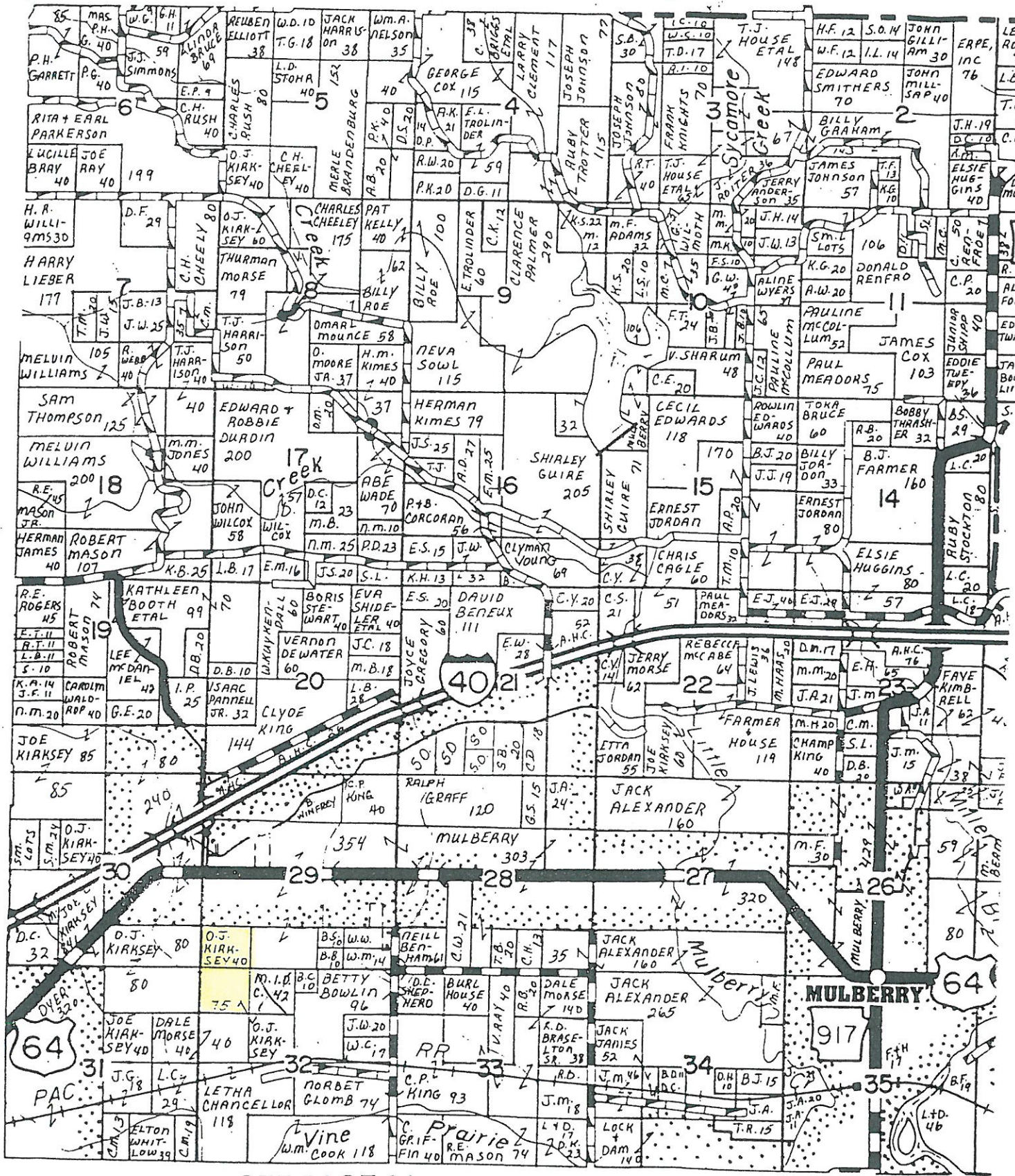
P.O. Box K
Mulberry, AR 72947

Joe M. Kirksey 9/1/04
Kirksey Family Limited Partnership Date
Joe M. Kirksey, President

P.O. Box K
Mulberry, AR 72947

TOWNSHIP 10 • RANGE 29

SEE PAGE 16



SEE PAGE 19

20

SEE PAGE 24

FILED *AWJ*

2004 SEP -9 PM 1:01

PATTI HILL
COUNTY & PROBATE CLERK
CRAWFORD COUNTY, AR

IN THE CRAWFORD COUNTY COURT

IN THE MATTER OF ANNEXING TO THE CITY OF MULBERRY,
ARKANSAS, CERTAIN TERRITORY CONTIGUOUS TO THE SAID CITY
OF MULBERRY, ARKANSAS.

CASE # 2004-226

ORDER OF HEARING

On this 9th day of September, 2004, the Petitioners, Joe M. Kirksey, Avanelle Kirksey and Kirksey Family Limited Partnership, Joe M. Kirksey, President, asks that the following described property, to wit:

The Southwest Quarter (SW ¼) of the Southwest Quarter (SW ¼) of Section 29, Township 10 North, Range 29 West, in Crawford County, Arkansas, containing 40 acres, more or less,

And

The Northwest Quarter (NW ¼) of the Northwest Quarter (NW ¼) of Section 32, Township 10 North, Range 29 West, in Crawford County, Arkansas, containing 40 acres, more or less.

be annexed to the City of Mulberry, Arkansas.

IT IS, Therefore, Considered, Ordered and Decreed that said hearing on this petition will be held on the 11th day of October, 2004 at 10:30 a.m.

The Petitioners shall cause to be published a notice for 3 consecutive weeks in the legal section of the Press-Argus Courier, a newspaper in Crawford County, Arkansas.

Jerry Williams

Jerry Williams
County Judge

Press Argus-Courier

P.O. Box 369

Van Buren, Arkansas 72957

(501) 474-5215

FILED

2004 OCT 12 PM 2:00

PATTI HILL
COUNTY & PROBATE CLERK
CRAWFORD COUNTY, AR

PROOF OF PUBLICATION

State of Arkansas, }
County of Crawford } ss.

I, Bill Hager, Publisher of the Press Argus-Courier, a newspaper published in said County and State, and having general circulation therein, hereby certify that the annexed advertisement was published in said paper

three time(s) with the first publication being on the 15th day of September, 2004, and the last publication being on the 29th day of September, 2004.

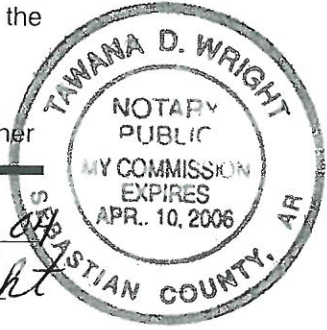
Publisher's Fee \$ 162.81 Bill Hager Publisher

Subscribed and sworn to before me this 29th day of Sept., 2004

My Commission expires

April 10, 2006

Tawana D. Wright
Notary Public



IN THE CRAWFORD COUNTY COURT IN THE MATTER OF ANNEXING TO THE CITY OF MULBERRY, ARKANSAS, CERTAIN TERRITORY CONTIGUOUS TO THE SAID CITY OF MULBERRY, ARKANSAS. CASE # 2004-226 ORDER OF HEARING On this 9th day of September 2004, the Petitioners, Joe M. Kirksey, Avanelle Kirksey and Kirksey Family Limited Partnership Joe M. Kirksey, President, asks that the following described property to wit: The Southwest Quarter (SW1/4) of the Southwest Quarter (SW 1/4) of Section 29, Township 10 North, Range 29 West, in Crawford County, Arkansas, containing 40 acres, more or less, And The Northwest Quarter (NW 1/4) of the Northwest Quarter (NW 1/4) of Section 32, Township 10 North, Range 29 West in Crawford County, Arkansas, containing 40 acres, more or less. be annexed to the City of Mulberry, Arkansas. IT IS, Therefore, Considered, Ordered and Decreed that said hearing on this petition will be held on the 11th day of October, 2004 at 10:30 a.m. The Petitioners shall cause to be published a notice for 3 consecutive weeks in the legal section of the Press-Argus Courier, a newspaper in Crawford County, Arkansas. Jerry Williams County Judge Published in the September 15, 22,29, 2004 issues of the Press Argus-Courier

FILED

2004 OCT 19 AM 11:34

IN THE CRAWFORD COUNTY COURT, PATTI HILL
COUNTY & PROBATE CLERK
CRAWFORD COUNTY, AR

IN THE MATTER OF ANNEXING TO THE CITY OF MULBERRY,
ARKANSAS, CERTAIN TERRITORY CONTIGUOUS TO THE SAID CITY
OF MULBERRY, ARKANSAS.

CASE # 2004-226

DECREE OF ANNEXATION

On the 11th day of October, 2004, on the regular day of a regular term of the County Court of Crawford County, Arkansas, there is presented to the Court by Jeff Marvin, agent of the Petitioners, a petition for annexation of certain territory, thereafter more particularly described, to the City of Mulberry, Arkansas, and the Court being fully advised of the facts and the law doth hereby find, judge and decree as follows:

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

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.

The Court further finds that territory sought to be annexed was accurately described in said petition and that said territory is contiguous to the boundaries of the City of Mulberry, 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 Mulberry.

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

THEREFORE, the Court doth hereby ORDER, JUDGE and DECREE that the following described territory be and same is hereby annexed to and made a part of the City of Mulberry, Arkansas, to-wit:

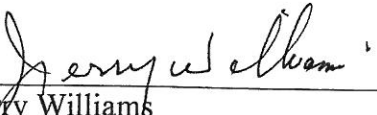
The Southwest Quarter (SW ¼) of the Southwest Quarter (SW ¼) of Section 29, Township 10 North, Range 29 West, in Crawford County, Arkansas, containing 40 acres, more or less,

And

The Northwest Quarter (NW ¼) of the Northwest Quarter (NW ¼) of Section 32, Township 10 North, Range 29 West, in Crawford County, Arkansas, containing 40 acres, more or less.

The Court doth further order that the original papers in this cause be delivered to the Clerk of Crawford County, Arkansas, same to be properly recorded upon the records of Crawford 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 Mulberry, Arkansas, one copy to the Secretary of State and one copy to the Director of the Tax Division of the Arkansas Public Service Commission..

IT IS SO ORDERED.



Jerry Williams
County Judge

10-13-04

Date

ORDINANCE 2004-09

AN ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF MULBERRY, ARKANSAS, AND MAKING SAME A PART OF THE CITY OF MULBERRY, ARKANSAS, AND ASSIGNING SAME TO WARDS AND ISSUING ZONING FOR SAID PROPERTY.

WHEREAS, Petition was filed with the County Clerk of Crawford 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 Mulberry, Arkansas; and

WHEREAS, on October 11, 2004, the County Court of Crawford County, Arkansas, found that said territory was contiguous and adjoining the present corporate limits of the City of Mulberry, 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 City of Mulberry, Arkansas, subject to the acceptance of the 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 MULBERRY, ARKANSAS:

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

The Southwest Quarter (SW ¼) of the Southwest Quarter (SW ¼) of Section 29, Township 10 North, Range 29 West, in Crawford County, Arkansas, containing 40 acres, more or less,

And

The Northwest Quarter (NW ¼) of the Northwest Quarter (NW ¼) of Section 32, Township 10 North, Range 29 West, In Crawford County, Arkansas, containing 40 acres, more or less.

SECTION 2. That the above-described territory shall be annexed to and made a part of Ward 3 of the City of Mulberry, and the same shall henceforth be a part of said ward as fully as existing parts of said ward.

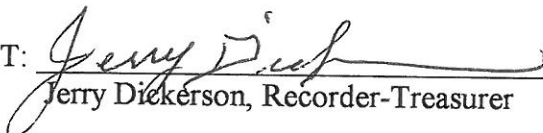
- SECTION 3. That the above described territory shall be annexed and issued zoning as Industrial -1 (I-1).
- SECTION 4. All ordinances or parts of ordinances in conflict here with are hereby repealed.
- SECTION 5. If any provision of this ordinance is held invalid or unconstitutional that provision shall be deemed severable and separable and the remaining provisions shall remain in full force and effect.

PASSED AND APPROVED THIS 23rd DAY OF NOVEMBER 2004.

APPROVED:


Jeff Marvin, Mayor

ATTEST:


Jerry Dickerson, Recorder-Treasurer