

BEFORE THE CITY COUNCIL OF THE CITY OF BATESVILLE, ARKANSAS  
ORDINANCE N<sup>o</sup> 2014-04-03

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AN ORDINANCE ACCEPTING TERRITORY  
TO BE ANNEXED TO THE CITY OF BATESVILLE

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WHEREAS, an owner of land contiguous to the City of Batesville has petitioned the Independence County Court to allow its lands to be annexed;

WHEREAS, the Independence County Court granted the requested annexation by Order entered on 3-10, 2014, pursuant to Arkansas Code Annotated § 14-40-601, *et seq.*; and

WHEREAS, more than thirty (30) days have passed since the entry of that Order, thereby confirming it in accordance with Arkansas Code Annotated § 14-40-605.

NOW, THEREFORE, be it ordained by the City Council of the City of

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Batesville, Arkansas:

Section 1. Annexation of the lands described in the plat and Order attached hereto has been confirmed.

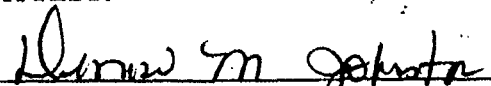
Section 2. The lands described in the exhibit attached hereto are hereby accepted by the City of Batesville, subject to the Bill of Assurance of Independence County Business Park, as recorded in Book \_\_\_, Page \_\_\_ of the Independence County records, and are hereby zoned I-2.

PASSED AND APPROVED on this 22 day of April, 2014.

APPROVED:

By:   
RICK BLUMBAUGH, MAJOR

ATTEST:

  
DENISE JOHNSTON, CITY CLERK

IN THE COUNTY COURT OF INDEPENDENCE COUNTY, ARKANSAS

IN THE MATTER OF ANNEXING TO THE CITY )  
OF BATESVILLE, ARKANSAS, CERTAIN ) No CO-2014-01  
TERRITORY CONTIGUOUS TO THE SAID CITY )  
OF BATESVILLE, ARKANSAS )

ORDER OF ANNEXATION

On March 10, 2014, the above-styled matter came on for consideration by the Court upon the Petition of Independence County Economic Development, Inc., for the annexation of certain lands to the City of Batesville, Arkansas. The Petition was filed pursuant to Ark. Code Ann. § 14-40-601.

After notice as prescribed by law, the Court being well and sufficiently advised in the law and the facts, finds:

1. This Court has jurisdiction of the parties to and subject matter of this action.
2. On February 6, 2014, Independence County Economic Development, Inc., filed its Petition alleging that it was the sole owner of the land described as follows:

Part of the Northwest Quarter of the Southwest Quarter and part of the Southwest Quarter of the Southwest Quarter of Section 3 and part of the Southeast Quarter of the Southeast Quarter of Section 4, all lying in Township 13 North, Range 6

**FILED**  
MAR 14 2014  
2:03 P  
TRACEY MITCHELL M  
COUNTY & PROBATE CLERK  
D.C.

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**West, Independence County, Arkansas, being more particularly described as follows:**

**Beginning at the Northeast corner of the Southwest Quarter of the Southwest Quarter of Section 3, Township 13 North, Range 6 West, Independence County, Arkansas; thence South 01°22'42" West along the East line of the Southwest Quarter of the Southwest Quarter of Section 3 aforesaid, 1304.57 feet to the Northerly right of way line of White Driver; thence North 88°37'03" West along said right of way line, 1539.03 feet to the Easterly right of way line of the Missouri-Pacific Railroad; thence along said Easterly right of way line as follows:**

**Along a curve to the right having a radius of 779.50 feet and a chord of North 01°30'32" West 399.07 feet, North 06°48'27" East 639.26 feet, along a curve to the right having a radius of 823.12 feet and a chord of North 15°28'30" East 265.75 feet to the North line of the Southeast Quarter of the Southeast Quarter of Section 4, Township 13 North, Range 6 West, Independence County, Arkansas; thence South 89°05'14" East along said North line, 53.78 feet to the Northwest corner of the Southwest Quarter of the Southwest Quarter of Section 3 aforesaid; thence South 89°05'14" East along the North line of the Southwest Quarter of the Southwest Quarter of Section 3 aforesaid, 896.51 feet; thence North 00°44'32" East 110.00 feet; thence South 86°50'58" East 484.30 feet; thence South 00°51'49" West 91.00 feet to the Point of Beginning.**

**Containing in all 46.70 acres, more or less, and being subject to all rights of way and easements of record.**

3. An accurate map of the property has been made and filed with the Court.

4. The real property is contiguous to the city limits of the City of Batesville.

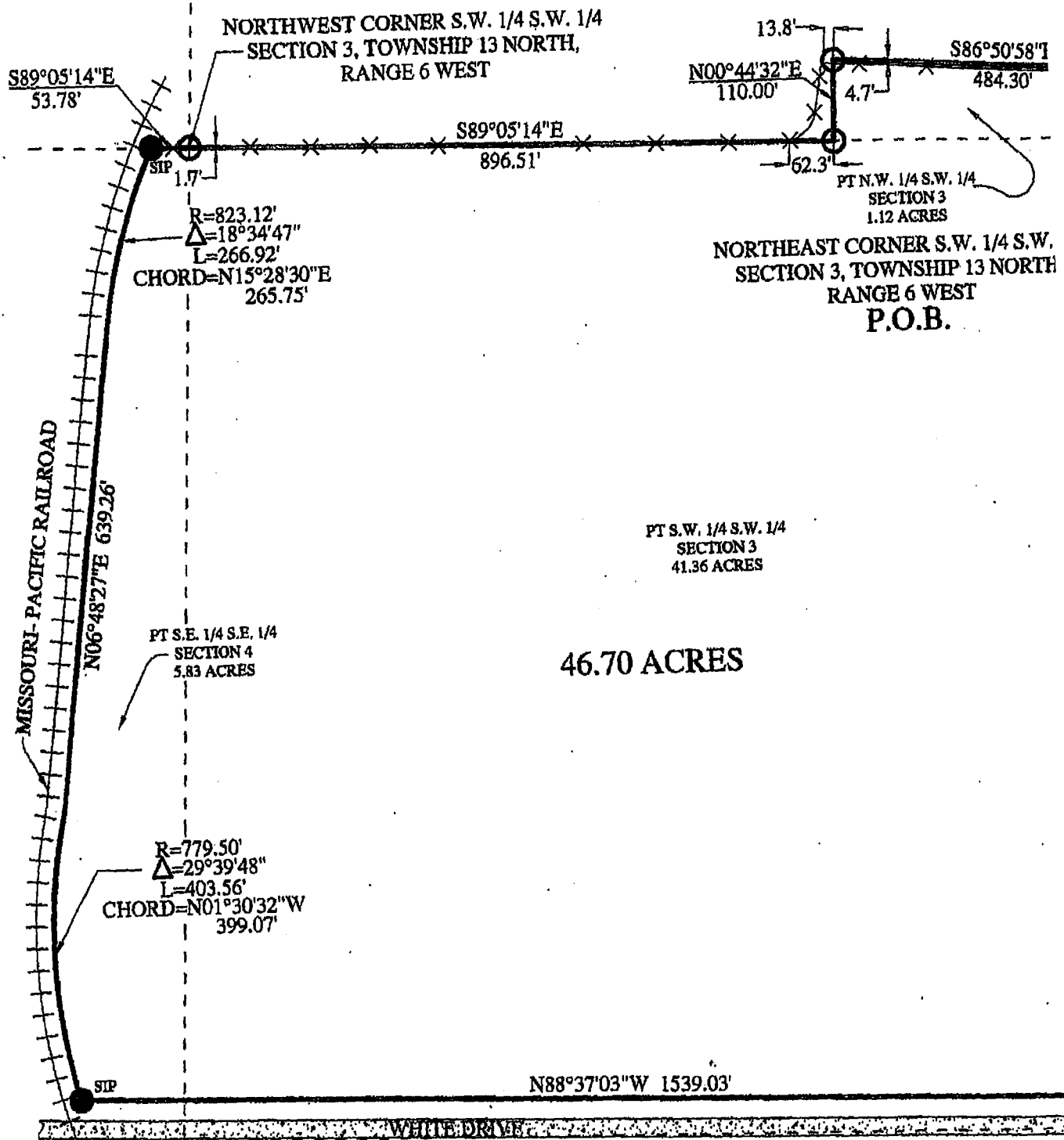
5. Notice of a hearing as required by Ark. Code Ann. § 14-40-602 has been published once weekly for three consecutive weeks in a newspaper having a general circulation in Independence County, Arkansas, notifying the public of a hearing to be held on March 10, 2014.

6. The allegations contained in the Petition were sustained by proof at the hearing and the Court is satisfied that all requirements of Ark. Code Ann. §§ 14-40-601 and 14-40-603 have been satisfied.




**NOW, THEREFORE, IT IS HEREBY CONSIDERED, ORDERED and ADJUDGED** that the Petition should be granted and the territory described hereinabove shall be annexed to the City of Batesville, Arkansas.

  
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ROBERT GRIFFIN, County Judge

DATE: 3-14-2014



**LEGEND**

-  BOUNDARY LINE
-  EXISTING WIRE FENCE
-  FOUND IRN PIPE/ REBAR  
SET REBAR WITH I.D. CAP