



STATE OF ARKANSAS
City of Brookland

ORDINANCE NO. 2009-7

AN ORDINANCE SUBMITTING TO THE VOTERS OF THE CITY OF BROOKLAND, ARKANSAS, AND OTHER AFFECTED PERSONS, THE QUESTION OF ANNEXATION TO SAID CITY OF BROOKLAND CERTAIN CONTIGUOUS TERRITORY; AND DECLARING AN EMERGENCY.

WHEREAS, it appears to the City Council of the City of Brookland, Arkansas, that the annexation of certain hereinafter described territory, contiguous to the City of Brookland, is necessary for the orderly growth and development of the City;

WHEREAS, the lands furnish the abode for a densely settled community or represent the actual growth of the municipality beyond its legal boundary;

WHEREAS, the lands are needed for proper municipal purposes; and

WHEREAS, the lands are valuable by reason of their adaptability for prospective municipal uses.

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

SECTION 1. That there shall be submitted to the qualified electors of the City of Brookland and of the following described area, the question of the annexation of the following described territory to the City of Brookland:

The following described lands in Craighead County, Arkansas, to-wit:

That part of Sections 16, 17, 18, 19, 20, 21, 28, all of Section 29, that part of Sections 30 and 31, and all of Sections 32 and 33, ALL LOCATED IN Township 15 North, Range 5 East; AND, that part of the North Half of Sections 3, 4, 5, and 6, ALL LOCATED IN Township 14 North, Range 5 East; AND, that part of the Northeast corner of Section 1, Township 14 North, Range 4 East, described as follows: Beginning at the Northeast corner of Section 28, Township 15 North, Range 5 East, run thence North 30 feet, run thence East 30 feet to a point of intersection of the North right-of-way of Craighead 936 Road and the East right-of-way of Craighead 937 Road for the true point of beginning, run thence South along the East right-of-way of Craighead 937 Road a distance of 10670 feet, more or less, to the South right-of-way of Craighead 928 Road, run thence West

Ord. #2009-7 Page # 1

along said right-of-way 13980 feet, more or less, to the East right-of-way of Craighead 905 Road, run thence South along said right-of-way 1725 feet to the South line of Busch Agricultural Resources, Inc., run thence West 756 feet along said South line to the East line of Carter-Cox Seeds, Inc., run thence South 591 feet to the South line of Carter-Cox Seeds, Inc., run thence West along said South line 1340 feet, more or less to the West right-of-way of the St. Louis-Southwestern railroad, run thence Southwesterly along said railroad right-of-way 2150 feet, run thence West 1915 feet along with the South line of Oak Subdivision to Craighead County, Arkansas, as shown by plats of record in Plat Cabinet B at page 90 and Plat Cabinet B at page 109, run thence $N74^{\circ}32'W$ along the South line of Oak Subdivision 100.8 feet, run thence North 1465.1 feet to the North line of Oak Subdivision, run thence East along said North line 1608.9 feet to the West line of Rex and Connie Gilbert, run thence North 1303 feet along said West line to the North line of Gilbert, run thence East 1035 feet along the North line to the East line of Gilbert, run thence South 291.8 feet along the East line of Gilbert, run thence $S62^{\circ}53'E$ 290.4 feet along the North line of Gilbert to the West right-of-way of Highway 49, run thence Northeasterly along said West right-of-way of Highway 49 a distance of 6778 feet, more or less, to Craighead 706 Road, run thence Northwesterly 3215 feet, more or less, to the West right-of-way of Craighead 740 Road, run thence North along with the West right-of-way 2640 feet to the Lonnie McNatt property, run thence West 1320 feet along the South line of McNatt, run thence North along with the West line of McNatt 1350 feet, more or less, to the North right-of-way of Craighead 760 Road, run thence East along said North right-of-way 2173 feet to the West line of Randal Kingston, run thence North along the West line of Kingston 436.6 feet, run thence East along the North line of Kingston 496.6 feet to the East right-of-way of Craighead 741 Road, run thence North along said East right-of-way 614.4 feet to the South line of Donald and Stephanie Glenn, run thence East along with the South line of Glenn 881 feet, run thence Northerly along a creek a distance of 4215 feet, more or less, to the North line of Section 19, run thence East 539 feet, more or less, to the West right-of-way of Highway 49, run thence Northerly along said West right-of-way 2750 feet, run thence Northeasterly along said West right-of-way 3250 feet to the North line of Section 17, run thence East 1065 feet, run thence South 264 feet, run thence East 330 feet, run thence North 264 feet, run thence East 275 feet to the centerline of a creek, run thence Southeasterly along said creek 815 feet, run thence West 765 feet to the West right-of-way of Highway 49B, run thence South along the West right-of-way 660 feet, run thence West 2230 feet to the East right-of-way of Highway 49, run thence Southwesterly along the East right-of-way 1600 feet, run thence Southerly along the East right-of-way 4266 feet, more or less, run thence East 633 feet to the East right-of-way of Oak Street, run thence South along said East right-of-way 643.5 feet to the North line of the Brookland School property, run thence East along with the North line of Brookland School property 1290 feet, run thence North 862 feet to the South line of Gambill Subdivision as shown by a plat of record, run thence East along the South line of Gambill Subdivision 750 feet to the West line of Bobby Williams, run thence North along the West line of Williams 200 feet, run thence East along the North line of Williams 250 feet, run thence South along the East line of Williams 200 feet, run thence East 260 feet to the West right-of-way of Highway 49B, run thence North along said West right-of-way 450 feet to the South line of Lot 11 of Gambill's Second Subdivision, run thence West along the South line of said Lot 11 a distance of 160.3 feet, run thence North along the West line of said Lot 11 a distance of 200 feet to the South right-of-way of Craighead 736 Road, run thence West 399.6 feet to the West line of Jerry and Brenda Williams,

run thence North along said West line 651.2 feet, run thence West along said line 50 feet, run thence North along said line 25 feet, run thence East along the North line of Williams 421.8 feet, run thence South along said line 105 feet, run thence East along said line 190 feet to the West right-of-way of Highway 49B, run thence Northerly along said West right-of-way 4746 feet, run thence East 110 feet to the East right-of-way of Highway 49B, run thence Southerly along said East right-of-way 2357 feet to the North line of Jamie and Candice Seaborn, run thence N72°09'E along the North line of Seaborn 132.3 feet, run thence S2°23'E along the East line of Seaborn 161.5 feet, run thence S86°17'W along the South line of Seaborn 132.9 feet to the East right-of-way of Highway 49B, run thence Southerly along said East right-of-way 2085 feet, more or less, to the North right-of-way of Highway 230, run thence East along said North right-of-way 4190 feet, more or less, to the West right-of-way of the St. Louis-Southwester Railroad, run thence S33°43'W along said right-of-way 3234 feet, run thence S56°17'E 587.8 feet, more or less, to the East right-of-way of Craighead 935 Road, run thence S33°43'W along said East right-of-way 422.7 feet, run thence South along said East right-of-way 1950 feet, more or less, to the North right-of-way of Craighead 936 Road, run thence East along said North right-of-way 5280 feet, more or less, to the true point of beginning, containing 4600 acres, more or less.

A map depicting said annexation area is attached hereto as Exhibit A and made a part hereof.

SECTION 2. The question of annexation of the territory described above in Section 1 shall be submitted to the electors qualified to vote on this issue at a special election to be held on Tuesday September 8, 2009. Once this ordinance takes effect, the City Clerk shall immediately notify the County Election Commission and the County Clerk by forwarding to each, a certified copy of this ordinance and the map showing the area to be annexed.

SECTION 3. If at such election a majority of the qualified electors voting in such election shall vote for such annexation, the annexation shall be effective and the territory included within the corporate limits of the City of Brookland thirty (30) days following the County Clerk's certification of the election results and recording of the same, along with the description and a map of the annexed area, in the county records, and filing a certified copy thereof with the Secretary of State; or in the event an action is filed with the Circuit Court, on the date the judgment of said Court becomes final. If a majority of the qualified electors voting on the issue at the election vote against the annexation, the annexation ordinance shall be null and void.

SECTION 4. No later than forty-five (45) days prior to the election, the city shall identify all persons who reside within the area proposed to be annexed, and the county clerk shall assist the city in determining the names and addresses of all qualified electors residing within that area.

SECTION 5. The city clerk shall give notice of the election by publication by at least one (1) insertion in some newspaper having a general circulation in the city.

SECTION 6. If the annexation is approved and becomes final, the governing body of the

city shall, by ordinance, as soon as practical after the annexation, attach and incorporate such annexed territory to and in one (1) or more wards of the city lying adjacent thereto, and the territory so assigned and attached to a ward shall thereafter be considered and become a part thereof as fully as any other part of the city.

SECTION 7. If the annexation is approved and becomes final, the following services shall be extended to the area within three (3) years:

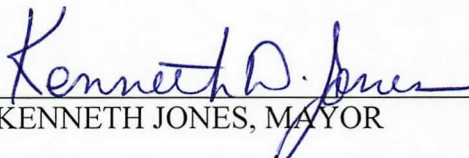
SERVICE	DATE
Police Protection	Immediately
Code Enforcement	Immediately
Animal Control	Immediately
Sanitation Service	Immediately
Street Maintenance	Immediately
Mosquito Control	Immediately upon city schedule
Clean Sweep	Immediately upon city schedule

SECTION 8. The ballots used at said election on the question of annexation shall be marked as follows:

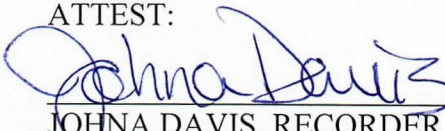
- FOR annexation of the territory described in Ordinance No. 2009-7.
- AGAINST annexation of the territory described in Ordinance No. 2009-7.

SECTION 9. Emergency Clause. This ordinance being necessary for the immediate preservation of the public peace, health, safety, and welfare, as well as compliance with special election statutes, an emergency is hereby declared to exist and this ordinance shall be effective for purposes of Arkansas Code Annotated Section 14-40-301 to 14-40-304 from and after its passage and approval, and effective finally when submitted to the qualified electors of the City of Brookland and of the area to be annexed at the special election on September 8, 2009.

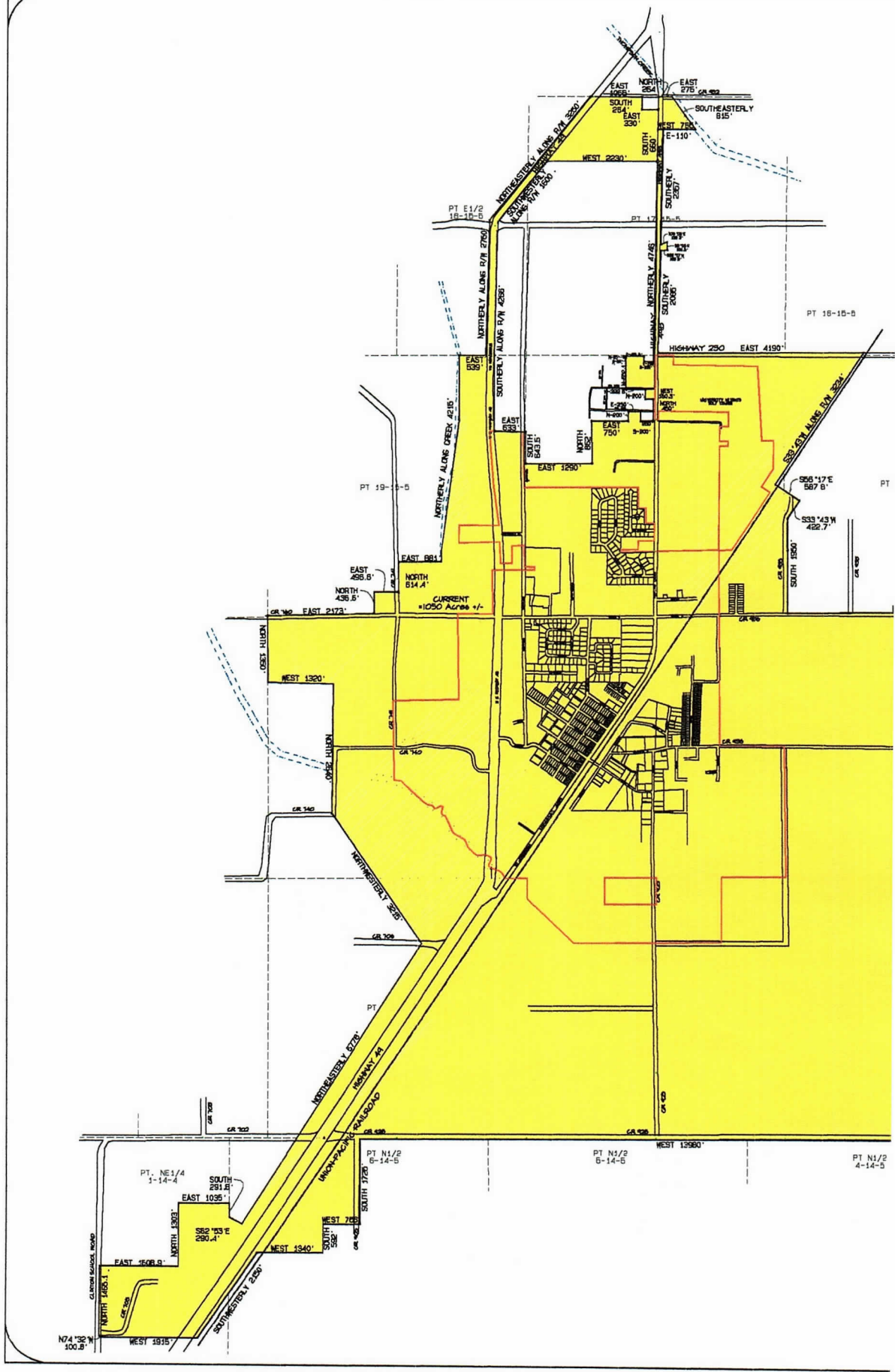
PASSED AND ADOPTED this 7th day of July, 2009.


KENNETH JONES, MAYOR

ATTEST:


JOHNA DAVIS, RECORDER





N74°32'N
100.8'

WEST 1515'

EAST 1508.9'

NORTH 1393'

S62°13'E
290.4'

EAST 1035'

SOUTH 291.8'

PT. NE 1/4
1-14-4

CLINTON MARSH ROAD

CE 255

NORTH 1393'

WEST 1320'

WEST 1320'

WEST 1320'

WEST 1320'

WEST 1320'

WEST 1320'

WEST 1320'

WEST 1320'

WEST 1320'

WEST 1320'

WEST 1320'

WEST 1320'

WEST 1320'

WEST 1320'

WEST 1320'

WEST 1320'

WEST 1320'

WEST 1320'

WEST 1320'

WEST 1320'

WEST 1320'

WEST 1320'

WEST 1320'

WEST 1320'

WEST 1320'

PROPOSED ANNEXATION CITY OF BROOKLAND, ARKANSAS

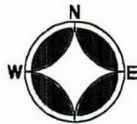
The following described lands in Craighead County, Arkansas, to-wit:

That part of Sections 16, 17, 18, 19, 20, 21, 28, all of Section 29, that part of Sections 30 and 31, and all of Sections 32 and 33, ALL LOCATED IN Township 15 North, Range 5 East; AND, that part of the North Half of Sections 3, 4, 5 and 6, ALL LOCATED IN Township 14 North, Range 5 East; AND, that part of the Northeast Quarter of Section 1, Township 14 North, Range 4 East, described as follows: Beginning at the Northeast corner of Section 28, Township 15 North, Range 5 East, run thence North 30 feet, run thence East 30 feet to a point of intersection of the North right-of-way of Craighead 936 Road and the East right-of-way of Craighead 937 Road for the true point of beginning, run thence South along the East right-of-way of Craighead 937 Road a distance of 10670 feet, more or less, to the South right-of-way of Craighead 928 Road, run thence West along said right-of-way 13980 feet, more or less, to the East right-of-way of Craighead 905 Road, run thence South along said right-of-way 1725 feet to the South line of Busch Agri Resources, Inc., run thence West 756 feet along said South line to the East line of Carter-Cox Seeds, Inc., run thence South 591 feet to the South line of Carter-Cox Seeds, Inc., run thence West along said South line 1340 feet, more or less, to the West right-of-way of the St. Louis-Southwestern railroad, run thence Southwesterly along said railroad right-of-way 2150 feet, run thence West 1915 feet along with the South line of Oak Subdivision to Craighead County, Arkansas, as shown by plats of record in Plat Cabinet B at page 90 and Plat Cabinet B at page 109, run thence N74°32'W along the South line of Oak Subdivision 100.8 feet, run thence North 1465.1 feet to the North line of Oak Subdivision, run thence East along said North line 1608.9 feet to the West line of Rex and Connie Gilbert, run thence North 1303 feet along said West line to the North line of Gilbert, run thence East 1035 feet along the North line to the East line of Gilbert, run thence South 291.8 feet along the East line of Gilbert, run thence S62°53'E 290.4 feet along the North line of Gilbert to the West right-of-way of Highway 49, run thence Northeasterly along said West right-of-way of Highway 49 a distance of 6778 feet, more or less, to Craighead 706 Road, run thence Northwesterly 3215 feet, more or less, to the West right-of-way of Craighead 740 Road, run thence North along with the West right-of-way 2640 feet to the Lonnie McNatt property, run thence West 1320 feet along the South line of McNatt, run thence North along with the West line of McNatt 1350 feet, more or less, to the North right-of-way of Craighead 760 Road, run thence East along said North right-of-way 2173 feet to the West line of Randal Kingston, run thence North along the West line of Kingston 436.6 feet, run thence East along the North line of Kingston 496.6 feet to the East right-of-way of Craighead 741 Road, run thence North along said East right-of-way 614.4 feet to the South line of Donald and Stephanie Glenn, run thence East along with the South line of Glenn 881 feet, run thence Northerly along a creek a distance of 4215 feet, more or less, to the North line of Section 19, run thence East 539 feet, more or less, to the West right-of-way of Highway 49, run thence Northerly along said West right-of-way 2750 feet, run thence Northeasterly along said West right-of-way 3250 feet to the North line of Section 17, run thence East 1065 feet, run thence South 264 feet, run thence East 330 feet, run thence North 264 feet, run thence East 275 feet to the centerline of a creek, run thence Southeasterly along said creek 815 feet, run thence West 765 feet to the West right-of-way of Highway 49B, run thence South along the West right-of-way 660 feet, run thence West 2230 feet to the East right-of-way of Highway 49, run thence Southwesterly along the East right-of-way 1600 feet, run thence Southerly along the East right-of-way 4266 feet, more or less, run thence East 633 feet to the East right-of-way of Oak Street, run thence South along said East right-of-way 643.5 feet to the North line of the Brookland School property, run thence East along with the North line of Brookland School property 1290 feet, run thence North 862 feet to the South line of Gambill Subdivision as shown by a plat of record, run thence East along the South line of Gambill Subdivision 750 feet to the West line of Bobby Williams, run thence North along the West line of Williams 200 feet, run thence East along the North line of Williams 250 feet, run thence South along the East line of Williams 200 feet, run thence East 260 feet to the West right-of-way of Highway 49B, run thence North along said West right-of-way 450 feet to the South line of Lot 11 of Gambill's Second Subdivision, run thence West along the South line of said Lot 11 a distance of 160.3 feet, run thence North along the West line of said Lot 11 a distance of 200 feet to the South right-of-way of Craighead 736 Road, run thence West 399.6 feet to the West line of Jerry and Brenda Williams, run thence North along said West line 651.2 feet, run thence West along said line 50 feet, run thence North along said line 25 feet, run thence East along the North line of Williams 421.8 feet, run thence South along said line 105 feet, run thence East along said line 190 feet to the West right-of-way of Highway 49B, run thence Northerly along said West right-of-way 4746 feet, run thence East 110 feet to the East right-of-way of Highway 49B, run thence Southerly along said East right-of-way 2357 feet to the North line of Jamie and Candice Seaborn, run thence N72°09'E along the North line of Seaborn 132.3 feet, run thence S2°23'E along the East line of Seaborn 161.5 feet, run thence S86°17'W along the South line of Seaborn 132.9 feet to the East right-of-way of Highway 49B, run thence Southerly along said East right-of-way 2085 feet, more or less, to the North right-of-way of Highway 230, run thence East along said North right-of-way 4190 feet, more or less, to the West right-of-way of the St. Louis-Southwestern Railroad, run thence S33°43'W along said right-of-way 3234 feet, run thence S56°17'E 587.8 feet, more or less, to the East right-of-way of Craighead 935 Road, run thence S33°43'W along said East right-of-way 422.7 feet, run thence South along said East right-of-way 1950 feet, more or less, to the North right-of-way of Craighead 935 Road, run thence East along said North right-of-way 5280 feet, more or less, to the true point of beginning, containing 4600 acres, more or less.

Notes:

1.) Not a survey. Legal constructed for proposed annexation of lands into the City Limits of Brookland, Arkansas.

Dated: June 30, 2009



SCALE 1"=1320'
0 1320 2640

PROPOSED ANNEXATION CITY OF BROOKLAND, ARKANSAS
Bradley P. Hancock Surveying & Mapping 120 North Second Street Paragould, Arkansas

