

FILED

AUG 31 2010

TOMMY ESTES, CLERK
BY ST D.C.

ORDINANCE NO. 2010-08

AN ORDINANCE ANNEXING CERTAIN LANDS, KNOWN AS SOUTHWIND TRACE ADDITION, THAT ARE COMPLETELY SURROUNDED BY THE INCORPORATED LIMITS OF THE CITY OF CHEROKEE VILLAGE; AND FOR OTHER PURPOSES.

WHEREAS, Act 314 of 1979 provides that unincorporated “islands” of land that have been completely surrounded by the incorporated limits of a municipality may be annexed by that municipality; and

WHEREAS, the City of Cherokee Village desires to annex certain lands more completely described below; and

WHEREAS, all existing City services are to be extended to said area after enactment of ordinance; and

WHEREAS, the area to be annexed complies with the standards for lands qualifying for annexation which are set forth in A.C.A. Section 14-40-302 et seq. and Act 314; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHEROKEE VILLAGE, ARKANSAS.

Section 1. That the following described unincorporated area which is completely surrounded by the city limits of the City of Cherokee Village is hereby annexed into the City of Cherokee Village.

**Section 30, Township 19 North
S. Pottawattamie Drive**

**SECTION 30, TOWNSHIP 19 NORTH, RANGE 5 WEST
SHARP COUNTY, ARKANSAS**

THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 30, TOWNSHIP 19 NORTH, RANGE 5 WEST OF THE 5TH PRINCIPAL MERIDIAN, SHARP COUNTY, ARKANSAS. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 30, THENCE NORTH 01 DEGREE 52 MINUTES 28 SECONDS EAST 1297.77 FEET. THENCE NORTH 89 DEGREES 29 MINUTES 02 SECONDS WEST 659.84 FEET. THENCE SOUTH 01

DEGREE 48 MINUTES 41 SECONDS WEST 1306.08 FEET. THENCE NORTH 89 DEGREES 47 MINUTES 27 SECONDS EAST 658.65 FEET TO THE POINT OF BEGINNING. ALSO KNOWN AS SOUTHWIND TRACE ADDITION TO SHARP COUNTY AS SHOWN ON THE RECORD PLAT FILED IN Plat Book 2004, Page 106, IN THE OFFICE OF THE COUNTY CLERK, SHARP COUNTY, ARKANSAS.

THE WEST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 30, TOWNSHIP 19 NORTH, RANGE 5 WEST OF THE 5TH PRINCIPAL MERIDIAN, SHARP COUNTY, ARKANSAS.

The area to be annexed shall be zoned R-1 and located in Ward 2.

Section 2. All existing City services shall be extended to such area after enactment of ordinance. All property owners or sub-dividers must provide passable access road for emergency vehicles to access any and all existing dwelling(s) or buildings. Any existing roads will be maintained up to the current residence. All roads will be added to the road department schedule for any upgrades.

Section 3. Should any section, clause, or phrase of this ordinance be declared by the courts to be invalid, that invalidity shall not affect the other provisions of this ordinance which shall be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are declared to be severable.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF CHEROKEE VILLAGE, ARKANSAS

DATE June 2, 2010

APPROVED: Lloyd Hefley
Lloyd Hefley, Mayor

ATTEST: Phyllis Endrihs

Phyllis Endrihs, Clerk/Treasurer