

ORDINANCE NO. 2010-13

FILED
BK 1
FEB 18 2011
PG 151
TOMMY ESTES, CLERK
BY [Signature] D.C.

AN ORDINANCE ANNEXING CERTAIN LANDS, KNOWN AS; COOPERSHARES ADDITION (LOS INDIOS), FOULIS SUBDIVISION, WINNIPESAUKEE ADDITION, HALL HERITAGE ADDITION, AND THE LARGE SECTION OF ACREAGE ABOVE HALL HERITAGE ADDITION AND ON OKMULGEE DRIVE ACROSS FROM 'FOUNTAIN PLACE' 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 17, Township 19 North
Okmulgee Drive
SECTION 17, TOWNSHIP 19 NORTH, RANGE 5 WEST
SHARP COUNTY**

ALL THAT PART OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 19 NORTH, RANGE 5 WEST OF THE 5TH PRINCIPAL MERIDIAN THAT WAS PREVIOUSLY PLATTED AS ELEVENTH AND ELEVENTH-A ADDITIONS TO CHEROKEE VILLAGE, AND RECORDED IN BOOK 2, PAGE 531 AND BOOK 2, PAGE 541. THIS AREA INCLUDES COOPER SHARES SUBDIVISION BLOCK 1, FILED IN BOOK 10,

PAGE 139 AND BOOK 12, PAGE 151, COOPER SHARES SUBDIVISION BLOCK 2, FILED IN BOOK 10, PAGE 179 AND BOOK 11, PAGE 1, COOPER SHARES SUBDIVISION BLOCK 3, FILED IN BOOK 12, PAGE 7, LOS INDIOS SUBDIVISION FILED IN BOOK 11, PAGE 78, FOULIS SUBDIVISION FILED IN PLAT CABINET C, PAGE 128-B, AND WINNIPESAUKEE ADDITION FILED IN PLAT CABINET C, PAGE 76-C, HALL HERITAGE ADDITION FILED IN PLAT BOOK P.07, PAGE 237, HALL HERITAGE ADDITION REPLAT OF LOTS 2 AND 3 FILED IN PLAT BOOK P. 10, PAGE 54.

The area to be annexed to include all adjacent and abutting public streets and rights-of-way. The area to be annexed shall be zoned RP-3 and located in Ward 3.

Section 2. All existing City services shall be extended to such area after enactment of ordinance. All property owners or sub-dividers must provide a passable access road for emergency vehicles to access all dwelling(s) or buildings.

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 12-01-10

APPROVED: Lloyd Hefley
Lloyd Hefley, Mayor

ATTEST: Phyllis Endrihs

Phyllis Endrihs, Clerk/Treasurer