

ORDINANCE NO. 2011-03

AN ORDINANCE ANNEXING CERTAIN LANDS, KNOWN AS CHEROKEE ACRES, 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.

**Cherokee Acres
Cherokee Acres Drive
SECTIONS 13 AND 24, TOWNSHIP 19 NORTH, RANGE 6 WEST
FULTON COUNTY**

A PART OF THE EAST HALF OF THE NORTHEAST QUARTER AND PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 24, AND PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 13, ALL IN TOWNSHIP 19 NORTH, RANGE 6 WEST, OF THE 5TH PRINCIPAL MERIDIAN, FULTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SECTION 13, THENCE NORTH 00 DEGREES 51 MINUTES 21 SECONDS WEST 1286.63 FEET. THENCE NORTH 89 DEGREES 48 MINUTES 00 SECONDS WEST 1280.42 FEET TO A POINT ON THE SOUTH-EASTERLY RIGHT OF WAY OF ARKANSAS HIGHWAY #175, ALSO KNOWN AS CHEROKEE ROAD. THENCE SOUTH 01 DEGREE 03 MINUTES 16 SECONDS EAST 1271.92 FEET. THENCE SOUTH 00 DEGREES 22 MINUTES 11 SECONDS WEST 3948.21

FEET. THENCE SOUTH 87 DEGREES 38 MINUTES 00 SECONDS EAST 1299.97 FEET. THENCE NORTH 00 DEGREES 14 MINUTES 29 SECONDS EAST 2654.41 FEET. THENCE NORTH 00 DEGREES 21 MINUTES 36 SECONDS WEST 1328.19 FEET TO THE POINT OF BEGINNING. ALSO KNOWN AS CHEROKEE ACRES SUBDIVISION AS SHOWN ON THE RECORD PLAT FILED IN BOOK 4, PAGE 188 IN THE OFFICE OF THE CIRCUIT CLERK, FULTON COUNTY, ARKANSAS.

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 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 a passable access road for emergency vehicles to access any and all existing dwelling(s) or buildings. All existing structures will be grandfathered in for size and code. All new structures/buildings will meet city codes and inspections. All existing driveways will be grandfathered in at existing conditions and any new driveways must be hard paved. 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 6/23/11

APPROVED: Lloyd Hefley
Lloyd Hefley, Mayor

ATTEST: Lana Hamilton

Lana Hamilton, Clerk/Treasurer