

ORDINANCE NO. 0-80-26

AN ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN LANDS TO THE CITY OF CONWAY, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS:

SECTION 1: The City of Conway, Arkansas, hereby accepts the hereinafter described territory, annexed to said City by order of the County Court of Faulkner County, Arkansas, heretofore entered on the 29 day of September, 1980, and said territory being situated in Faulkner County, Arkansas, and described as follows:

Tract No. 1: Part of the E 1/2 SW 1/4 and SW 1/4 SE 1/4, Section 10, Township 5 North, Range 14 West, described as beginning at the southwest corner of the SE 1/4 of said Section 10; thence north 89 degrees 54 minutes 34 seconds west 1,310.21 feet to the southwest corner of the SE 1/4 SW 1/4 of said Section 10; thence north 0 degrees 05 minutes 00 West seconds 1318.88 feet to the southwest corner of the NE 1/4 SW 1/4 of said Section 10; thence north 0 degrees 22 minutes 24 seconds east 330 feet; thence north 89 degrees 55 minutes 18 seconds east 658.24 feet; thence north 0 degrees 25 minutes 00 seconds east 397.27 feet; thence north 37 degrees 02 minutes 00 seconds east 289.23 feet; thence east 428.79 feet; thence north 0 degrees 22 minutes 00 seconds east 361.0 feet; thence east 60.0 feet to the northeast corner of the SW 1/4 of said Section 10; thence south 0 degrees 22 minutes 00 seconds west 1,320.67 feet to the northwest corner of the SW 1/4 SE 1/4 of said Section 10; thence south 0 degrees 27 minutes 16 seconds west 330.30 feet; thence north 89 degrees 25 minutes 58 seconds east 1,321.90 feet; thence south 0 degrees 20 minutes 18 seconds west 990.82 feet to the southeast corner of the SW 1/4 SE 1/4 of said Section 10; thence south 89 degrees 27 minutes 56 seconds west 1,322.0 feet to the point of beginning, containing 89.4 acres, more or less;

~~Tract No. 2: The N 1/4 SW 1/4 SE 1/4 and the W 1/2 NW 1/4 SE 1/4 of Section 10, Township 5 North, Range 14 West;~~

Tract No. 3: A parcel of land lying in the NE 1/4 of the SW 1/4 of Section 10, Township 5 North, Range 14 West, and being more particularly described as follows: Begin at a point 50 feet West and 210 feet South of the NE corner of the SW 1/4 of said Section 10, thence South 151 feet; thence West 290 feet; thence North 151 feet, thence East 290 feet to the point of beginning, and containing 1.005 acres, more or less.

Tract No. 4: A part of the NE 1/4 of the SW 1/4 of Section 10, Township 5 North, Range 14 West, more particularly described as follows: Begin at a point on the N line of the said NE 1/4 SW 1/4 which is 50 feet West of the NE corner of said NE 1/4 SW 1/4 and run West South 210 feet; thence West 86.5 feet; thence NEwardly to a point on the N line of said NE 1/4 SW 1/4, which is 42 feet West of the point of beginning, thence East along and with said North line 42 feet to the point of beginning;

and that said above-described lands and territory be, and the same hereby are, declared to be a part of the City of Conway, Faulkner County, Arkansas.

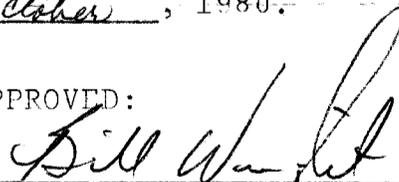
SECTION 2: It is hereby determined by the City Council of the City of Conway, Arkansas, that Tracts No. 1, 3, and 4 should be and are hereby annexed and zoned as R-1 One-Family Residential District and the tract of land described as Tract No. 2 should be and is hereby annexed and zoned as A-1 Agricultural Residential District.

SECTION 3: From and after this date, the inhabitants residing within and upon the hereinabove described lands and territory shall have and enjoy all the rights and privileges of, and be subject to all the laws, rules, ordinances, limitations, and regulations imposed upon the inhabitants within the original limits of said City of Conway, Arkansas.

SECTION 4: It is hereby ascertained and declared that it is necessary for the protection and preservation of the public health and safety that the foregoing ordinance be passed and adopted; that an emergency exists; and that this ordinance shall take effect and be in force from and after its passage and publication.

PASSED this 14 day of October, 1980.

APPROVED:



Mayor

ATTEST:



City Clerk



A G R E E M E N T

KNOW ALL MEN BY THESE PRESENTS:

That WHEREAS 404 Investors, Inc, an Arkansas business corporation, hereinafter referred to as 404, and the City of Conway, Arkansas, an Arkansas municipal corporation, hereinafter referred to as City, have entered into an agreement in which the City has consented to annexing certain lands belonging to 404 to the City for a residential development provided that 404 acquires and dedicates a certain right-of-way to the City for the use as a street, and that 404 further contributes unto the City the sum of \$30,000 toward the development of the said street; and

WHEREAS, 404 has acquired the said right-of-way to be dedicated to the City of Conway, Arkansas; and

WHEREAS, the parties hereto have reached an agreement as to when the said right-of-way shall be dedicated unto the City of Conway, Arkansas, and as to when the said \$30,000 shall be paid unto the City; and

WHEREAS the parties hereto now desire to reduce the agreement to writing for the purpose of memorializing the same.

NOW THEREFORE, the parties agree as follows:

In consideration of the City annexing unto the City of Conway, Arkansas, the lands described in Resolution R-80-22, the undersigned conveys unto the City, by deed of even date herewith, the aforesaid street right-of-way, and the undersigned further promises and agrees to pay to the said City the sum of \$30,000, to be paid upon the happening of the earlier of the two hereinafter described contingencies:

- a. The completion of the aforesaid road or,
- b. The fifth anniversary of this agreement.

EXECUTED in duplicate this 14 day of October, 1980.

ATTEST

Secretary

404 INVESTORS, INC.

By

President