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KAREN COMBS PRITCHARD
CO. & PROBATE CLERK
WASHINGTON CO. ARK.

ORDINANCE 05-17-2007A

AN ORDINANCE ANNEXING CERTAIN LANDS THAT ARE COMPLETELY SURROUNDED BY THE INCORPORATED LIMITS OF ELKINS; ASSIGNING THOSE LANDS TO WARDS AND ASSIGNING ZONING TO THOSE LANDS; AND FOR OTHER PURPOSES

WHEREAS, A.C.A. §14-40-501 – 14-40-503 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 Elkins desires to annex all ten (10) of the unincorporated islands, more completely described below, that exist on this date; and

WHEREAS, the areas to be annexed comply with the standards for lands qualifying for annexation which are set forth in A.C.A. 14-40-301 – 14-40-304 and 14-40-501 – 14-40-503; and

WHEREAS, on April 17, 2007, a legal notice was published/posted setting out the description of the territory proposed to be annexed, and all property owners within the area except those who executed Waivers of Notice, were notified by certified mail of their right to appear at a public hearing on this matter; and

WHEREAS, said public hearing was held on May 3, 2007, at 6:00 PM in the Elkins' District Courtroom.

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

SECTION 1. That the following described lands, which are completely surrounded by the incorporated limits of the City of Elkins, and which are shown on map identified as Exhibit A, which is attached hereto and made a part hereof, are hereby annexed to the City of Elkins: All unincorporated land in

- (1) The SE ¼ of the NW ¼ of S27, T16N, R29W; and the SW ¼ of the SW ¼ of the NE ¼ of S27, T16N, R29W.
- (2) The NE ¼ of the SW ¼ of S27, T16N, R29W.

(3) The SE ¼ of the SW ¼ of the NE ¼ of S27, T16N, R29W.

(4) The NW ¼ of the SW ¼ of S26, T16N, R29W.

(5) The SE ¼ of the SE ¼ of S27, T16N, R29W; the SW ¼ of the SW ¼ of S26, T16N, R29W; E ½ of the NE ¼ of the NW ¼ of the NW ¼ of S35, T16N, R29W; the SE ¼ of the SW ¼ of S26, T16N, R29W; and the N ½ of the NW ¼ of the NE ¼ of the NW ¼ of S35, T16N, R29W.

(6) The E ½ of the NE ¼ of the NW ¼ of S35, T16N, R29W; and the NW ¼ of the NE ¼ of S35, T16N, R29W.

(7) The NW ¼ of the SE ¼ of the NE ¼ of S35, T16N, R29W.

(8) The SW ¼ of the SE ¼ of the NE ¼ of S35, T16N, R29W; the SE ¼ of S35, T16N, R29W; the N ½ of the NE ¼ of S2, T15N, R29W; the N ½ of the SE ¼ of the NE ¼ of S2, T15N, R29W; the SE ¼ of the SE ¼ of the NE ¼ of S2, T15N, R29W; the SW ¼ of S36, T16N, R29W; the NW ¼ of the NE ¼ of the NW ¼ of S1, T15N, R29W; the NW ¼ of the NW ¼ of S1 T15N, R29W; and the N ½ of the SW ¼ of the NW ¼ of S1, T15N, R29W.

(9) The SW¼ of NE ¼ of the NW ¼ of S1, T15N, R29W.

(10) The NE ¼ of the SE ¼ of S27, T16N, R29W.

SECTION 2. That all necessary basic municipal services, such as police and fire protection, shall be extended to such areas upon the effective date of this ordinance.

SECTION 3. That the unincorporated islands described above at Section 1 are, upon passage of this Ordinance, assigned to Wards as follows:

- a) The parcels being annexed hereby, in Islands 7, 8 and 9 (as described in Section 1) are hereby assigned to Ward 1 of the City of Elkins;
- b) The parcels being annexed hereby in Islands 4, 5 and 6 (as described in Section 1) are hereby assigned to Ward 2 of the City of Elkins; and,
- c) The parcels being annexed hereby, in Islands 1, 2, 3 and 10 are hereby assigned to Ward 3 of the City of Elkins.

SECTION 4. That the unincorporated islands described above at Section 1 are, upon passage of this Ordinance, hereby assigned the following zoning:

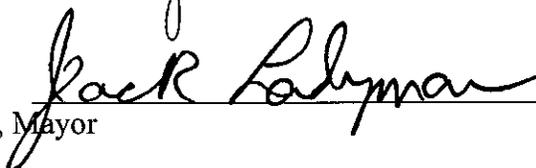
- a) the parcels being annexed hereby, in Islands 1,2, 3, 4, 9, and 10 are hereby zoned R-1;
- b) the parcels being annexed hereby, in Islands 5, 6 and 7 are hereby zoned A-1;
- c) the N½ of the SW¼ of the NW¼ of Section 1, Township 15 North, Range 29 West and the N½ of the SE¼ of NE¼ of Section 2 Township 15 North, Range 29 West and the SE¼ of the SE¼ of the NE ¼ of Section 2, Township 15 North, Range 29 West (being a portion of Island 8) are hereby zoned P; and,
- d) the remaining parcels being annexed hereby, in Island 8 are hereby zoned

A-1.

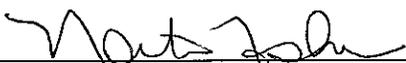
SECTION 5. The zoning districts map of the city of Elkins is hereby amended to reflect the changes set forth in Section 4 above.

SECTION 6. That the various parts, sections, and subsections of this ordinance are hereby declared to be severable. If any part, section, or subsection is adjudged invalid, it is hereby provided that the remaining parts, sections, or subsections shall not be affected thereby. The City Council hereby declares that all such remaining parts would have been passed irrespective of the validity or invalidity of any parts found to be invalid.

PASSED AND APPROVED THIS 7th DAY OF June, 2007.


JACK LADYMAN, Mayor

ATTEST:


NORRITA EISHER, Recorder/Treasurer