



ORDINANCE NO. 03-05-2009 C

File **2009-00011160**

AN ORDINANCE ACCEPTING A NEW ADDITION TO THE CITY OF ELKINS, ARKANSAS, TO BE KNOWN AS OAKLEAF MANOR SUBDIVISION, AN ADDITION TO THE CITY OF ELKINS, ARKANSAS.

THAT WHEREAS, there has been duly presented to the Elkins' Planning Commission, a final plat of certain land in the City of Elkins, Washington County, Arkansas, being more particularly described as follows, to-wit:

A PART OF THE SE ¼ OF THE NW ¼ AND ALL OF THE SW ¼ OF THE NE ¼ OF SECTION 35, TOWNSHIP 16 NORTH, RANGE 29 WEST IN WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN ALUMINUM MONUMENT AT THE NW CORNER OF THE SW ¼ OF THE NE ¼ OF SAID SECTION, SAID POINT BEING THE POINT OF BEGINNING, THENCE N88°53'31"W A DISTANCE OF 534.52 FEET TO A SET COTTON SPINDLE, THENCE S11°10'07"E A DISTANCE OF 31.70 FEET, THENCE S05°56'40"E A DISTANCE OF 43.59 FEET, THENCE S05°45'48"E A DISTANCE OF 96.19 FEET, THENCE S03°43'04"E A DISTANCE OF 109.69 FEET, THENCE S03°47'01"E A DISTANCE OF 138.91 FEET, THENCE S07°10'38"E A DISTANCE OF 119.92 FEET, THENCE S10°16'19"E A DISTANCE OF 40.45 FEET, THENCE S15°16'53"E A DISTANCE OF 33.16 FEET, THENCE S18°16'48"E A DISTANCE OF 165.21 FEET, THENCE, S68°40'42"W A DISTANCE OF 30.13 FEET, THENCE S16°58'23"E A DISTANCE OF 278.95 FEET, THENCE S15°31'05"E A DISTANCE OF 219.38 FEET, THENCE S16°34'09"E A DISTANCE OF 75.89 FEET, THENCE S17°09'08"E A DISTANCE OF 51.34 FEET, THENCE S20°18'24"E A DISTANCE OF 29.98 FEET, THENCE S26°04'42"E A DISTANCE OF 82.10 FEET, THENCE S27°46'02"E A DISTANCE OF 133.17 FEET TO A 1/2" IRON PIN, THENCE S88°43'11"E A DISTANCE OF 107.30 FEET TO A 1/2" IRON PIN, THENCE N01°53'29"E A DISTANCE OF 269.68 FEET TO A 1/2" IRON PIN, THENCE S88°21'58"E A DISTANCE OF 1,325.53 FEET TO A SET IRON PIN, THENCE N01°29'45"E A DISTANCE OF 253.17 FEET TO A 1/2" IRON PIN, THENCE N01°29'45"E A DISTANCE OF 1,063.28 FEET TO A 1/2" IRON PIN, THENCE N88°21'21"W A DISTANCE OF 1,322.67 FEET TO THE POINT OF BEGINNING CONTAINING 53.84 ACRES, MORE OR LESS.

AND WHEREAS, the Planning Commission on February 16, 2009, approved the final plat presented by Petitioner and has approved the dedication of streets, rights-of-way and

utility easements shown upon said final plat; and, the Planning Commission now joins with the said Petitioner in requesting the City Council to accept said Oakleaf Manor Subdivision, as an addition of the City of Elkins, Arkansas;

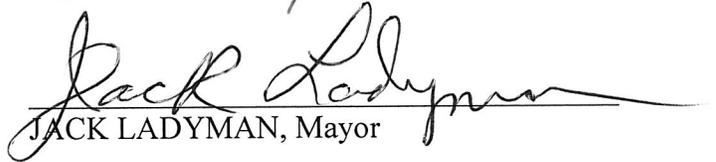
NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ELKINS, ARKANSAS:

Section 1: That all infrastructure improvements have been completed, inspected and approved.

Section 2: Approval and acceptance of Oakleaf Manor Subdivision is expressly conditioned upon the developer, William Lazenby, obtaining, no later than September 11, 2009, a new two (2) year maintenance bond covering the water, sewer, streets and drainage improvements in such subdivision in an amount not less than \$444,000.00 in favor of the City of Elkins, Arkansas.

Section 3: That Oakleaf Manor Subdivision, as shown on the final plat thereof which was approved by the Elkins Planning Commission on February 16, 2009, a copy of said Final Plat is attached to this Ordinance and made a part hereof as though set out herein word for word, be and the same is hereby accepted subject to the terms and conditions set forth in Section 2 above, by the City of Elkins, Washington County, Arkansas, and the City hereby accepts subject to the terms and conditions set forth in Section 2 above, for the use and benefit to the public, the dedications contained therein of the streets, rights-of-way and utility easements.

THIS ORDINANCE PASSED THIS 2d day of April, 2009.


JACK LADYMAN, Mayor

ATTEST:


SUNNY LEDFORD, Recorder/Treasurer