

ORDINANCE NO. 19 -~~2023~~

AN ORDINANCE SUBMITTING TO THE VOTERS OF THE CITY OF HASKELL, ARKANSAS, AND OTHER AFFECTED PERSONS, THE QUESTION OF ANNEXATION TO SAID CITY OF CERTAIN CONTIGUOUS TERRITORY; AND DECLARING AN EMERGENCY

WHEREAS, it appears to the City Council of the City of Haskell, Arkansas, that the annexation of certain hereinafter described territory, contiguous to the City of Haskell, is necessary for the orderly growth and development of the City; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF HASKELL, ARKANSAS:

**Section 1.** That there shall be submitted to the qualified electors of the City of Haskell and of the following described area, the question of the annexation of the following described territory of the City of Haskell:

THAT PART OF THE SOUTHEAST QUARTER AND PART OF THE NORTHEAST QUARTER OF SECTION 19, AND PART OF SECTION 20, AND PART OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 30 ALL IN TOWNSHIP 2 SOUTH, RANGE 15 WEST, SALINE COUNTY, ARKANSAS. DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 2 SOUTH, RANGE 15 WEST; THENCE NORTH ALONG THE CENTER OF SECTION LINE TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF INTERSTATE HIGHWAY NO.30; THENCE NORTHEASTERLY ALONG SAID SOUTH RIGHT OF WAY LINE TO THE NORTHEAST CORNER OF LAND OWNED BY BENTON TRUCK STOP LLC., (PARCEL # 001-09301-000) DESCRIBED IN DOCUMENT # 2000-040421 RECORDS OF SALINE COUNTY, ARKANSAS; THENCE SOUTH ALONG THE EAST LINE OF PROPERTY DESCRIBED IN DOCUMENT #'S 2000-040421 AND 2001-003370 (PARCEL # 001-09310-000) TO THE NORTHERN MOST CORNER OF PROPERTY DESCRIBED IN DOCUMENT # 2018-010812 (PARCEL # 001-09302-000); THENCE SOUTHEASTERLY ALONG THE NORTHEASTERN LINE OF SAID PROPERTY TO THE NORTHWESTERLY RIGHT OF WAY LINE OF HIGHWAY 67; THENCE SOUTHWESTERLY ALONG SAID RIGHT OF WAY LINE TO THE SOUTHWEST CORNER OF PROPERTY DESCRIBED IN DOCUMENT # 2018-010812; THENCE SOUTHWESTERLY TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF HIGHWAY 67, SAID POINT BEING THE NORTHEAST CORNER OF PROPERTY DESCRIBED IN DOCUMENT # 2023-002473 & 2023-002474 (PARCEL # 001-09304-000 & 001-09325-000); THENCE SOUTHEASTERLY TO THE SOUTHEAST CORNER OF SAID PROPERTY; THENCE SOUTHWESTERLY ALONG THE SOUTHEASTERN AND SOUTH LINE OF DOCUMENT #'S 2023-002473 & 2023-002474 TO THE NORTHWEST CORNER OF PROPERTY DESCRIBED IN DOCUMENT # 2010-061900 (PARCEL # 001-09325-001); THENCE SOUTH ALONG SAID DOCUMENT # 2010-061900 TO A POINT IN THE CENTERLINE OF RIVER ROAD; THENCE SOUTHWESTERLY ALONG SAID

CENTERLINE TO THE SOUTHEAST CORNER OF PROPERTY DESCRIBED IN DOCUMENT # 2016-010312 (PARCEL # 001-09325-002); THENCE NORTHERLY TO THE NORTHEAST CORNER OF SAID PROPERTY DESCRIBED IN DOCUMENT # 2016-010312; THENCE WESTERLY TO THE NORTHWEST CORNER OF PROPERTY DESCRIBED IN DOCUMENT # 2016-010312; THENCE SOUTHERLY ALONG THE WEST LINE THEREOF TO A POINT IN THE CENTERLINE OF RIVER ROAD; THENCE WESTERLY ALONG SAID CENTERLINE OF RIVER ROAD TO THE NORTHEAST CORNER OF PROPERTY DESCRIBED IN DEED BOOK 158, PAGE 391 (PARCEL # 001-09328-000 & 001-09286-000); THENCE SOUTHWESTERLY ALONG SAID PROPERTY DESCRIBED IN DEED BOOK 158, PAGE 391 TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF HIGHWAY 67; THENCE SOUTHWESTERLY ALONG SAID RIGHT OF WAY LINE TO A POINT IN LINE WITH THE NORTH RIGHT OF WAY LINE OF TRACE CREEK ROAD; THENCE WESTERLY TO A POINT ON THE NORTH RIGHT OF WAY LINE OF TRACE CREEK ROAD; THENCE ALONG SAID RIGHT OF WAY LINE TO THE POINT OF BEGINNING.

A map depicting said annexation area is attached hereto as Exhibit A and made a part hereof.

**Section 2.** The question of annexation of the territory described above in Section 1 shall be submitted to the electors qualified to vote on this issue at a special election to be held on November 5, 2024 in compliance with A.C.A. §7-11-205. Once this ordinance takes effect, the City Clerk shall immediately notify the County Election Commission and the County Clerk by forwarding to each, a certified copy of this ordinance and the map showing the area to be annexed.

**Section 3.** If at such election a majority of the qualified electors voting in such election shall vote for such annexation, the annexation shall be effective and the territory included within the corporate limits of the City to thirty (30) days following the County Clerk's certification of the election results and recording of the same, along with the description and a map of the annexed area, in the county records, and filing a certified copy thereof with the Secretary of State; or in the event an action is filed with the Circuit Court, on the date the judgment of said Court becomes final. If a majority of the qualified electors voting on the issue at the election vote against the annexation, the annexation ordinance shall be null and void.

**Section 4.** No later than forty-five (45) days prior to the election, the city shall identify all persons who reside within the area proposed to be annexed, and the county clerk shall assist the city in determining the names and addresses of all qualified electors residing within the area.

**Section 5.** The city clerk shall give notice of the election by publication by at least one (1) insertion in some newspaper having a general circulation in the city.

**Section 6.** if the annexation is approved and becomes final, the governing body of the city shall, by ordinance, as soon as practical after the annexation, attach and incorporate such annexed territory to and in one (1) or more wards of the city lying adjacent thereto, and the territory so assigned and attached to a ward shall thereafter be considered and become a part thereof as fully as any other part of the city.

**Section 7.** If the annexation is approved and becomes final, the following services shall be extended to the area within three (3) years:

| SERVICE:                  | DATE:           |
|---------------------------|-----------------|
| Police Protection         | January 1, 2025 |
| Fire Protection           | January 1, 2025 |
| Solid Waste Collection    | N/A             |
| Public Street Maintenance | January 1, 2026 |

The schedule of services shall be included in the annual written report required by A.C.A. §14-40-2201.

**Section 8.** The ballots used at said election on the question of annexation shall be marked as follows:

[        ] FOR annexation of the territory described in Ordinance No. \_\_\_\_\_.

[        ] AGAINST annexation of the territory described in Ordinance No. \_\_\_\_\_.

**Section 9.** Notice. Within forty-five (45) days of the effective date of this ordinance the city clerk shall provide written notice, along with complete documentation, to the county clerk of each county in which the territory is affected.

**Section 10.** This ordinance shall be read and heard at three (3) consecutive regular meetings of the governing body of the annexing municipality prior to enactment, as required by Arkansas Code Annotated §14-40-303.

**Section 11.** Emergency Clause. This ordinance being necessary for the immediate preservation of the public peace, health, safety, and welfare, as well as compliance with special election statutes an emergency is hereby declared to exist and this ordinance shall be effective and in full force and effect from and after its passage and approval.

PASSED AND APPROVED this 12<sup>th</sup> day of February, 2024.

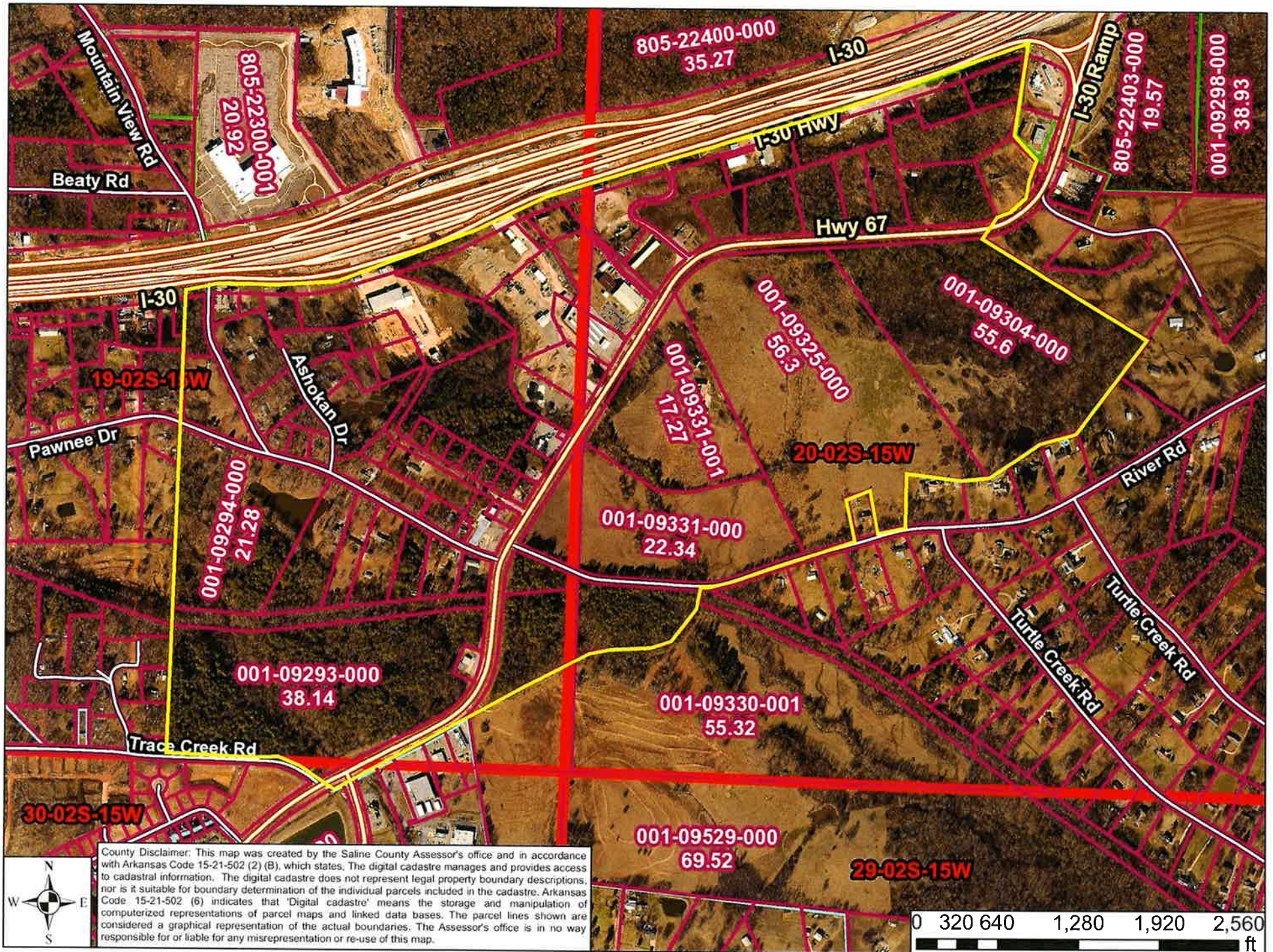
APPROVED:

  
Clyde Crookham, Mayor

ATTEST:

  
Jennifer Hill, City Clerk/Recorder/Treasurer





County Disclaimer: This map was created by the Saline County Assessor's office and in accordance with Arkansas Code 15-21-502 (2) (B), which states, The digital cadastre manages and provides access to cadastral information. The digital cadastre does not represent legal property boundary descriptions, nor is it suitable for boundary determination of the individual parcels included in the cadastre. Arkansas Code 15-21-502 (6) indicates that "Digital cadastre" means the storage and manipulation of computerized representations of parcel maps and linked data bases. The parcel lines shown are considered a graphical representation of the actual boundaries. The Assessor's office is in no way responsible for or liable for any misrepresentation or re-use of this map.