

New # 72-8-1

ORDINANCE NO. 54

AN ORDINANCE ANNEXING CERTAIN PROPERTY LOCATED IN SECTION 33, TOWNSHIP 18 NORTH OF RANGE 30 WEST TO THE CITY OF ELM SPRINGS, ARKANSAS.

SECTION 1: WHEREAS, all of the owners of the following described property, have petitioned to the city council of the City of Elm Springs, Arkansas, to annex the same to the City of Elm Springs, Arkansas, and due notice has been given of the filing of such petition and that the same would be heard on the 22nd day of May, 1972. Said property described as follows:

The West one-half of the East 10 acres of the Northeast Quarter of the Northwest Quarter of Section 33 in Township 18 North of Range 30 West, and containing five (5) acres, more or less.

ALSO, a part of the East one-half of the Southeast Quarter of the Northwest Quarter of Section 33, LESS AND EXCEPT the following described tract: Beginning at the following corner of said 20 acre tract, and running thence South 528 feet, thence West 91 feet, thence North 528 feet, thence East 91 feet to the point of beginning; all of the above lands lying in Township 18 North of Range 30 West and containing 18.9 acres, more or less.

WHEREAS, on the 22nd day of May, 1972, the time fixed in the notice for the hearing of such petition to determine whether those signing the same constitute all of the owners of real property within the territory sought to be annexed, after hearing all persons who desired to be heard as to whether such petition contained the signatures of all owners, the city council of the City of Elm Springs, Arkansas, did ascertain and declare that the petition did contain the signature of all of the owners of real property within the territory, according to the last preceding assessment for state and county taxes in the territory, and as shown by the records of deeds and by actual ownership, and that the petition is in due form and as required by law.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ELM SPRINGS, ARKANSAS, that the above described lands be annexed to the City of Elm Springs, Arkansas.

SECTION 2: That all ordinances and parts of ordinances in conflict herewith be and the same are hereby repealed, and that this ordinance shall take effect and be in force from and after its publication.

APPROVED this 1 day of August, 1972.

J. Keith Fitch
MAYOR

ATTEST:

Don Hoag
RECORDER OF CITY CLERK

ORDINANCE NO 89-10-1

AN ORDINANCE CORRECTING ORDINANCE NO. 54 CONTAINING AN ERRONEOUS LEGAL DESCRIPTION OF LANDS IN SECTION 33, TOWNSHIP 18 NORTH, RANGE 30 WEST, ANNEXED TO THE CITY OF ELM SPRINGS IN 1971, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Elm Springs annexed certain lands Ordinance pursuant to Petition dated November 30, 1971, according to Ark. Stat. Ann. §19-301, et. seq.; followed by an Order of the Washington County Court, dated December 31, 1971 and filed January 3, 1972, in the Washington County records in Book 01, Pages 155-187, in Section 33, Township 18 North and Range 30 West; which Order was confirmed by such Court on February 14, 1972, and by Resolution of the Elm Springs City Council dated February 16, 1972, filed of record March 17, 1972; and

WHEREAS, it has come to the attention of the City Council of the City of Elm Springs that the legal descriptions of certain of the lands to be annexed contained in the Court's said Order, and its Confirming Order entered February 4, 1972, and the City's Resolution filed on March 17, 1972, contained an erroneous legal description which does not accurately describe the lands intended to be annexed by the City of Elm Springs at that time; and

WHEREAS, the Washington County Assessor has requested the City Council of the City of Elm Springs to take the necessary action to correct the legal description so that the records of Washington County and the City of Elm Springs will reflect the City's territorial limits effected by said annexation accurately and properly as intended by the City Council's annexation of such lands to the City of Elm Springs; and

WHEREAS, the proper legal description has been determined which will correct the description of said lands intended to be annexed by the City of Elm Springs; and

WHEREAS, it is considered to be in the best interest of the citizens of the City of Elm Springs to take the necessary action to properly correct such territorial limits by petitioning the Washington County Court for an Order of Correction of such

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WASHINGTON COUNTY
A. KOLLMEYER, CLERK

erroneous legal description.

NOW, THEREFORE, be it ordained that the City of Elm Springs' Resolution dated February 16, 1972, filed in the Washington County Records March 17, 1972, be corrected in the legal description for the lands in Section 33, Township 18 North, Range 30 West to reflect such corrected legal description of the lands annexed thereby as follows:

* * * *

Section 33, Township 18 North, Range 30 West

The South 295' of the East 300' of the SW 1/4 of the NW 1/4; ALSO part of the SE 1/4 of the said 40-acre tract, thence East 330'; thence South 660'; thence East 330'; thence South 660'; thence West 660'; thence North 1320' to the place of beginning. AND the NW 1/4 of the SW 1/4; LESS AND EXCEPT the acreage owned by and on which is situated the Oak Grove Community Church house and Oak Grove Community Building. ALSO Beginning at the Northwest corner of the SW 1/4 of the SW 1/4; thence East to a point 40' West of the East line of the SW 1/4 of the SW 1/4; thence East 40' to the East line of the SW 1/4 of the SW 1/4; thence South 574'; thence West to the West line of the SW 1/4 of the SW 1/4; thence North to the point of beginning.

* * * *

EMERGENCY CLAUSE: It is hereby declared that an emergency exists and that this ordinance being necessary for the preservation of the health, safety and welfare of the citizens of Elm Springs, Arkansas, become effective immediately upon its passage, approval and publication.

THIS ORDINANCE passed this 2nd day of October, 1989.

ATTEST:

Shirley Ann Cline
City Clerk

Jack Hellstern
Jack Hellstern, Mayor

ACKNOWLEDGEMENT

STATE OF ARKANSAS)
) ss.
COUNTY OF WASHINGTON)

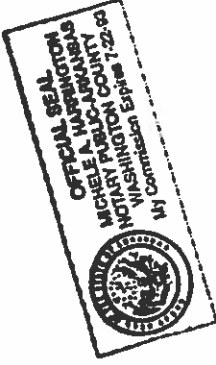
On this day came before me, the undersigned, a Notary Public, duly commissioned, qualified and acting, within and for the said State and County, appeared in person the within named Jack Hellstern, to me personally known, who stated he was the Mayor of the City of Elm Springs, Arkansas, and was duly authorized in this capacity to execute the foregoing instrument for and in the name and behalf of said City, and further stated and acknowledged that he had so signed, executed and delivered said instrument for the consideration, uses and purposes therein mentioned and set forth.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal this 2nd day of October, 1989.

Michele A. Harrison
Notary Public

My Commission Expires:

July 22, 1993



ORDINANCE NO. 93-9

AN ORDINANCE ANNEXING CERTAIN LANDS INTO THE CITY OF ELM SPRINGS, WASHINGTON COUNTY, ARKANSAS; TO DECLARE AN EMERGENCY AND FOR OTHER PURPOSES.

WHEREAS, there was filed in the Circuit Court of Washington County, Arkansas, a Petition by Teddy Fay Downum, Carl Eugene Downum, Donald Wayne Downum, W. R. Downum and Elizabeth Downum, Gary Lee Downum and Lanny G. Downum and Laura L. Downum, seeking annexation of certain lands to the City of Elm Springs, Washington County, Arkansas; and

WHEREAS, said Petition was filed in said County Court on the 8th day of February, 1993; and

WHEREAS, on the 3rd day of May, 1993, an Order was signed by the Judge of the County Court of Washington County, Arkansas, ordering the annexation of said lands to the City of Elm Springs, Arkansas; and

WHEREAS, a copy of said Order containing a full legal description of said lands is attached hereto and incorporated herein as if fully set out word for word.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF ELM SPRINGS, WASHINGTON COUNTY, ARKANSAS:

Section 1. That the City Council hereby accepts the following described lands into the City of Elm Springs:

TRACT ONE owned by Teddy F. Downum

A part of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of Section Twenty-six (26),

Township Eighteen (18) North, Range Thirty-one (31) West, more particularly described as running from the Northeast corner of said 40 acre tract 99 feet South to the point of beginning; thence South 243.18 feet; thence North 84 degrees 07' 29" West 291.98 feet; thence North 3 degrees 19' 14" East 242.75 feet; thence South 84 degrees East 277.91 feet to the point of beginning, containing 1.58 acres, more or less, Washington County, Arkansas.

TRACT TWO owned by Teddy Fay Downum

A part of, the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of Section 26, Township 18 North, Range 31 West, being more particularly described as follows: From the Northeast corner of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of said Section 26, thence South 0 degrees 15' 15" East - 99.00 feet; thence South 0 degrees 23' 00" West - 277.60 feet to the POINT OF BEGINNING, thence South 2 degrees 57' 39" West - 242.06 feet; thence South 84 degrees 29' 04" East - 291.98 feet; thence South 0 degrees 12' 27" East - 973.12 feet to the Southeast corner of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of said Section 26, thence South 89 degrees 48' 52" West - 748.55 feet; thence North 0 degrees 12' 27" West - 1063.22 feet; thence South 86 degrees 47' 25" West - 170.18 feet; thence North 12 degrees 09' 00" East - 221.62 feet; thence South 84 degrees 23' 00" East - 255.40 feet to the POINT OF BEGINNING, containing 19.00 acres, more or less, Washington County, Arkansas. Subject to the County Road Right-of-Way along the North side, thereof, and any other rights-of-way and/or easements of record.

TRACT THREE owned by Carl Eugene Downum

A part of the Northeast Quarter (NE 1/4) of Section 26 Township 18 North, Range Thirty-one (31) West, being more particularly described as follows: From the Northeast corner of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of said Section 26, thence South 0 degrees 15' 15" East - 99.00 feet, thence North 84 degrees 23' 00" West - 876.12 feet to the POINT OF BEGINNING, thence South 2 degrees 30' 18" West - 233.35 feet; thence South 86 degrees 47' 25" East - 135.31 feet; thence South 0 degrees 12' 27" East 1063.22 feet; thence South 89 degrees 48' 53" West - 616.41 feet; thence North 2 degrees 36' 52" West - 1354.32 feet; thence South 88 degrees 06' 52" East - 107.58 feet; thence South 84 degrees 23' 00" East - 444.04 feet to the POINT OF BEGINNING, containing 19.00 acres, more or less, Washington

County, Arkansas. Subject to the County Road and any other rights-of-way and/or easements of record.

TRACT FOUR owned by Donald Wayne Downum

A part of the Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4) and a part of the Northwest Quarter (NW 1/4) of the Southeast Quarter (SE 1/4) of Section 26, Township 18 North, Range 31 West, being more particularly described as follows: From the Northeast corner of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of said Section 26, thence South 89 degrees 54' 26" West - 1419.25 feet, thence South 2 degrees 36' 52" East 18.07 feet to the POINT OF BEGINNING, thence South 2 degrees 36' 52" East - 1300.16 feet; thence North 89 degrees 48' 53" East - 45.35 feet to the Southeast corner of the Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4) of said Section 26; thence South 0 degrees 09' 17" East - 52.25 feet; thence South 89 degrees 45' 58" West - 659.82 feet; thence North 0 degrees 07' 56" West - 52.81 feet; thence South 89 degrees 48' 53" West - 143.74 feet; thence North 3 degrees 14' 20" West - 558.05 feet; thence North 3 degrees 09' 26" West - 600.00 feet to the centerline of a County Road; thence along the centerline of said County Road North 82 degrees 42' 44" East - 420.67 feet; thence North 80 degrees 34' 38" East - 76.18 feet; thence North 71 degrees 51' 38" East - 101.63 feet; thence North 68 degrees 29' 38" East - 128.03 feet; thence leaving centerline of said County Road North 89 degrees 22' 13" East - 55.35 feet to the POINT OF BEGINNING, containing 22.06 acres, more or less, Washington County, Arkansas. Subject to the County Road Right-of-Way along the North side, thereof, and any other rights-of-way and/or easements of record.

TRACT FIVE owned by W. R. Downum and Elizabeth Downum

The West Half (W 1/2) of the Northwest Quarter (NW 1/4) of the Southeast Quarter (SE 1/4), and part of the Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4), described as follows, to-wit: Beginning at the Southwest corner of said forty acre tract, and running thence East 420 feet; thence North 2 1/2 degrees West to the center of the Elm Springs and Siloam Springs Road; thence in a Westerly direction with the center of said road to the West line of said 40 acre tract; thence South 1056 feet to the place of beginning, all being in Section Twenty-six (26) in Township Eighteen (18) North, Range Thirty-one (31) West.

TRACT SIX owned by Teddy Fay Downum, Carl Eugene

Downum, Donald Wayne Downum and Gary Lee Downum

A part of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of Section 26, Township 18 North, Range 31 West, being more particularly described as follows: From the Northeast corner of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of said Section 26, thence South 0 degrees 15' 15" East - 99.00 feet; thence North 84 degrees 23' 00" West - 533.00 feet to the POINT OF BEGINNING, thence South 12 degrees 09' 00" West - 221.62 feet; thence North 86 degrees 47' 25" West - 305.49 feet; thence North 2 degrees 30' 18" East - 233.35 feet; thence South 84 degrees 23' 00" East - 343.12 feet to the POINT OF BEGINNING, containing 1.69 acres, more or less, Washington County, Arkansas. Subject to the County Road Right-of-Way along the North side, thereof, and any other rights-of-way and/or easements of record.

TRACT SEVEN owned by Lanny G. Downum and Laura L. Downum

A part of the Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4) of Section 26, Township 18 North, Range 31 West, being more particularly described as follows: From the Southwest corner of the Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4) of said Section 26, thence North 89 degrees 48' 53" East - 420.00 feet, thence North 2 degrees 30' 00" West - 553.10 feet to the POINT OF BEGINNING, thence North 2 degrees 30' 00" West - 579.06 feet to the centerline of a County Road; thence along the centerline of said County road North 72 degrees 31' 20" East (Record: North 72 degrees 48' 14" East) - 84.79 feet; thence South 3 degrees 09' 26" East (Record: South 2 degrees 52' 31" East) - 600.00 ^{feet} ~~14" East) - 84.79 feet; thence South 3 degrees 09' 26" East (-record: South 2 degrees 52' 31" East) - 600.00~~ feet; thence South 86 degrees 50' 45" West (Record: South 87 degrees 07' 40" West) - 88.80 feet to the POINT OF BEGINNING, containing 1.16 acres, more or less, Washington County, Arkansas. Subject to the county road right-of-way along the North side, thereof and any other rights-of-way and/or easements of record.

TRACT EIGHT owned by Lanny G. Downum and Laura L. Downum

A part of the Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4) of Section Twenty-six (26) in Township Eighteen (18) North of Range Thirty-one (31) West, more particularly described as beginning at

the Northeast Quarter (NE 1/4) of said Section 26; thence South 2 degrees 52 minutes 31 seconds East 600.00 feet; thence South 87 degrees 07 minutes 40 seconds West 244.27 feet; thence North 2 degrees 52 minutes 31 seconds West 537.63 feet; thence North 72 degrees 48 minutes 14 seconds East 252.10 feet to the point of beginning, containing 3.19 acres, more or less, Washington County, Arkansas.

Section 2. That the Recorder/Treasurer is hereby directed to forward a copy of this Ordinance to the Secretary of State along with one copy of the plat of said annexed territory and one copy of the Order of the County Court, which is attached hereto and incorporated herein by reference.

APPROVED this 3rd day of May, 1993.


Tom Lundstrum, Sr., Mayor

ATTEST:


Recorder/Treasurer

ORDINANCE NO. 93-8-2A

AN ORDINANCE ANNEXING CERTAIN LANDS INTO THE CITY OF ELM SPRINGS, BENTON COUNTY, ARKANSAS; TO DECLARE AN EMERGENCY AND FOR OTHER PURPOSES.

WHEREAS, there was filed in the County Court of Benton County, Arkansas; and the Circuit Court of Benton County, Arkansas, a Petition by Glenn A. Canup, seeking annexation of certain lands to the City of Elm Springs, Benton County, Arkansas; and

WHEREAS, after notice as required by law, a hearing was held on the 8th day of July, 1993, in front of the County Judge of Benton County, Arkansas, and the annexation was approved; after said hearing and after notice as required by law, a hearing was held before the Circuit Judge of Benton County, Arkansas, and the annexation was approved; an Order was signed by the Judge of the County Court of Benton County, Arkansas, ordering the annexation of said lands to the City of Elm Springs, Arkansas; and

WHEREAS, a copy of said Orders are incorporated herein as if fully set out word for word.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF ELM SPRINGS, BENTON COUNTY, ARKANSAS:

Section 1. That the City Council hereby accepts the following described land, belonging to Glenn A. Canup, into the City of Elm Springs, Benton County, Arkansas:

The East Half (E 1/2) of the Southeast Quarter (SE 1/4) and the East Half (E 1/2) of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of Section Twenty-three (23), Township Eighteen (18) North of Range Thirty-one (31) West, containing 100 acres, more or less.

Section 2. That the Recorder/Treasurer is hereby directed to forward a copy of this Ordinance to the Secretary of State.

Section 3. EMERGENCY CLAUSE: It is hereby declared that an emergency exists, and this ordinance being necessary for the preservation of the health, safety, and welfare of the citizens of Elm Springs, Arkansas, shall be effective immediately upon its passage, approval, and publication.

PASSED AND APPROVED this 2d day of August, 1993.

ATTEST:

Barbara Dickey
Recorder/Treasurer

Tom Lundstrum, Sr.
Tom Lundstrum, Sr., Mayor

ORDINANCE NO. 94-2-8

AN ORDINANCE AMENDING ORDINANCE NO. 93-5 OF THE CITY OF ELM SPRINGS, WASHINGTON COUNTY, ARKANSAS FOR THE PURPOSE OF CORRECTING A LEGAL DESCRIPTION; TO DECLARE AN EMERGENCY AND FOR OTHER PURPOSES.

WHEREAS, on the 14th day of June, 1993, an Order was entered in the Washington County Court and filed of record on June 16, 1993, which approved the Annexation of certain real property to the City of Elm Springs, Washington County, Arkansas; and

WHEREAS, Ordinance No. 93-5 of the Elm Springs, Washington County, Arkansas, was filed in Washington County Court on the 3rd day of June, 1993; and

WHEREAS, said Ordinance contained a scrivener's error in certain legal descriptions, of the tracts which were subsequently annexed into the City of Elm Springs by the Order of the County Court, and it is necessary to correct said legal descriptions,

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ELM SPRINGS, WASHINGTON COUNTY, ARKANSAS,

SECTION 1: That the legal description contained in Ordinance No. 93-5 on Tract 7 should be amended to conform with the legal description of Tract No. 7 contained in the Order confirming annexation. Said legal description in the Ordinance should read as follows:

TRACT 7: OWNED BY LANNY G. DOWNUM AND LAURA L. DOWNUM

A PART OF THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) OF THE NORTHEAST QUARTER (NE $\frac{1}{4}$) OF SECTION 26, TOWNSHIP 18 NORTH, RANGE 31 WEST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FROM THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) OF THE NORTHEAST QUARTER (NE $\frac{1}{4}$) OF SAID SECTION 26; THENCE NORTH 89 DEGREES 48' 53" EAST - 420.00 FEET; THENCE NORTH 2 DEGREES 30' 00" WEST - 553.10 FEET TO THE POINT OF BEGINNING; THENCE NORTH 2 DEGREES 30' 00" WEST - 579.06 FEET TO THE CENTERLINE OF A COUNTY ROAD; THENCE ALONG THE CENTERLINE OF SAID COUNTY ROAD NORTH 72 DEGREES 31' 20" EAST (RECORD: NORTH 72 DEGREES 48' 14" EAST) - 84.79 FEET; THENCE SOUTH 3 DEGREES 09' 26" EAST (RECORD: SOUTH 2 DEGREES 52' 31" EAST) - 600.00 FEET; THENCE SOUTH 86 DEGREES 50' 45" WEST (RECORD: SOUTH 87 DEGREES 07' 40" WEST) - 88.80 FEET TO THE POINT OF BEGINNING, CONTAINING 1.16 ACRES, MORE OR LESS, WASHINGTON COUNTY, ARKANSAS. SUBJECT TO THE COUNTY ROAD RIGHT-OF-WAY ALONG THE NORTH SIDE, THEREOF AND ANY OTHER RIGHTS-OF-WAY AND/OR EASEMENTS OF RECORD.

SECTION 2: That the legal description contained in Ordinance 93-5 on Tract 8 should be amended to conform with the legal

description of Tract No. 8 contained in the Order confirming annexation, said legal description in the Ordinance should read as follows:

TRACT 8: OWNED BY LANNY G. DOWNUM AND LAURA L. DOWNUM

A PART OF THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) OF THE NORTHEAST QUARTER (NE $\frac{1}{4}$) OF SECTION TWENTY-SIX (26) IN TOWNSHIP EIGHTEEN (18) NORTH OF RANGE THIRTY-ONE (31) WEST, MORE PARTICULARLY DESCRIBED AS BEGINNING AT A POINT 151.90 FEET SOUTH AND 2183.62 FEET WEST OF THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER (SE $\frac{1}{4}$) OF THE NORTHEAST QUARTER (NE $\frac{1}{4}$) OF SAID SECTION 26; THENCE SOUTH 2 DEGREES 52' 31" EAST 600.00 FEET; THENCE SOUTH 87 DEGREES 07' 40" WEST 244.27 FEET; THENCE NORTH 2 DEGREES 52' 31" WEST 537.63 FEET; THENCE NORTH 72 DEGREES 48' 14" EAST 252.10 FEET TO THE POINT OF BEGINNING, CONTAINING 3.19 ACRES, MORE OR LESS, WASHINGTON COUNTY, ARKANSAS.

SECTION 3: That Ordinance No. 93-5 is readopted in its entirety as corrected herein.

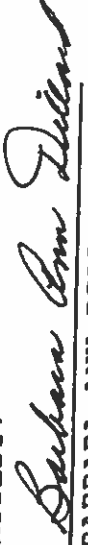
SECTION 4: That the Recorder/Treasurer is hereby directed to forward a copy of this Ordinance to the Secretary of the State, along with one copy of the Plat of said Annexed territory and one copy of the Order of the County Court, which is attached hereto and incorporated herein by reference.

SECTION 5: Portions of this Ordinance are hereby declared to be severable. If for any reason, any section, paragraph, subdivision, clause, phrase, word or provision of this Ordinance as amended shall be held invalid or unconstitutional by final judgment of the Court of competent jurisdiction, this shall not affect the validity of any other phrase, word or provision of this Ordinance. Further, all other Ordinances or parts thereof in conflict with any part of this Ordinance are hereby repealed to the extent of such conflict.

This Ordinance is necessary for the immediate health, safety, and welfare of the citizens of Elm Springs, Arkansas, and an emergency is hereby declared to exist, and the same shall be in full force and effect from and after the date of it's passage.

PASSED AND APPROVED this 7th day of March, 1994.

ATTEST:


BARBARA ANN DILLARD
CLERK/RECORDER/TREASURER


THOMAS LUNDSTRUM, SR., MAYOR

ORDINANCE NO. 95-1-B

AN ORDINANCE SUBMITTING TO THE VOTERS OF THE CITY OF ELM SPRINGS, ARKANSAS, AND OTHER AFFECTED PERSONS, THE QUESTIONS OF ANNEXATION TO SAID CITY OF ELM SPRINGS, ARKANSAS, CERTAIN CONTIGUOUS TERRITORY; AND FOR DECLARING AN EMERGENCY.

WHEREAS, it appears to the Council of the City of Elm Springs, Arkansas, that certain hereinafter described territory contiguous to said City of Elm Springs, Arkansas, is necessary for the orderly growth of said City; and

WHEREAS, the lands are platted and held for sale or use as municipal lots or whether platted or not, the lands are held to be sold as suburban property; and

WHEREAS, the lands are needed for proper municipal purposes; and

WHEREAS, the lands are valuable by reason of their adaptability for prospective municipal uses.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ELM SPRINGS, WASHINGTON COUNTY, ARKANSAS,

SECTION 1: That there shall be submitted to the qualified electors of the City of Elm Springs, Arkansas, the question of the annexation of the following described territory to the City of Elm Springs, Arkansas, to-wit:

TRACT 1:

SECTION 29, TOWNSHIP 18 NORTH AND RANGE 30 WEST

ALL THE EAST ½ OF THE NORTHWEST ¼ OF SECTION 29.

ALL THE NORTHEAST ¼ OF THE NORTHEAST ¼ OF THE SOUTHWEST ¼ OF SECTION 29.

ALL THE WEST 1650' OF THE EAST ¼ OF SECTION 29 IN WASHINGTON COUNTY, ARKANSAS.

TRACT 2:

ALL OF SECTION 19, TOWNSHIP 18 NORTH AND RANGE 30 WEST IN BENTON COUNTY, ARKANSAS.

ALL OF THE WEST ¼ OF SECTION 20, TOWNSHIP 18 NORTH AND RANGE 30 WEST IN BENTON COUNTY, ARKANSAS.

ALL OF SECTION 24, TOWNSHIP 18 NORTH AND RANGE 31 WEST IN BENTON COUNTY, ARKANSAS.

with the County Clerk, 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: If the annexation is approved and becomes final, the following services shall be extended to the area within three (3) years:

A. Police protection shall be provided immediately upon annexation.

B. Fire protection shall be provided on a contract basis through the _____.

J. J. S. Ambulance service shall be provided through the _____.

D. Streets shall be maintained to existing standards immediately upon annexation.

E. Water shall be made available where lines exist.

SECTION 5: 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 6: If any section, sentence, clause, or phrase of this Ordinance is for any reason held invalid or unconstitutional by a decision of any Court, such decision shall not effect the validity of the remaining portions of this Ordinance.

SECTION 7: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed. This action is necessary for the preservation of the peace, health, and safety of the City of Elm Springs, Arkansas. An emergency is declared to exist, and this Ordinance shall take effect and be in full force from and after the date of its passage and publication.

PASSED AND APPROVED this _____ day of _____, 199_____.

CITY OF ELM SPRINGS, ARKANSAS

BY _____
MAYOR OF ELM SPRINGS

ATTEST:

Barbara Ann Dillard

BARBARA ANN DILLARD
CLERK/RECORDER/TREASURER

CERTIFICATE OF SERVICE

I, BARBARA ANN DILLARD, City Recorder of the City of Elm Springs, Arkansas, hereby certify that this Ordinance was duly passed and approved by a Two-thirds (2/3) vote of the total number of the governing body of the City of Elm Springs, Arkansas, this 2nd day of June, 1995.

Barbara Ann Dillard

BARBARA ANN DILLARD
CLERK/RECORDER/TREASURER

ORDINANCE NO. 95-4-17

AN ORDINANCE SUBMITTING TO THE VOTERS OF THE CITY OF ELM SPRINGS, ARKANSAS, AND OTHER AFFECTED PERSONS, THE QUESTIONS OF ANNEXATION TO SAID CITY OF ELM SPRINGS, ARKANSAS, CERTAIN CONTIGUOUS TERRITORY; AND FOR DECLARING AN EMERGENCY.

WHEREAS, it appears to the Council of the City of Elm Springs, Arkansas, that certain hereinafter described territory contiguous to said City of Elm Springs, Arkansas, is necessary for the orderly growth of said City; and

WHEREAS, the lands are platted and held for sale or use as municipal lots or whether platted or not, the lands are held to be sold as suburban property; and

WHEREAS, the lands are needed for proper municipal purposes; and

WHEREAS, the lands are valuable by reason of their adaptability for prospective municipal uses,

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ELM SPRINGS, WASHINGTON COUNTY, ARKANSAS,

SECTION 1: That there shall be submitted to the qualified electors of the City of Elm Springs, Arkansas, the question of the annexation of the following described territory to the City of Elm Springs, Arkansas, to-wit:

TRACT 1:

Section 29 Township 18 North and Range 30 West:

All the East 1/2 of the Northwest 1/4 of Section 29.

All the Northeast 1/4 of the Northeast 1/4 of the Southwest 1/4 of Section 29.

All the West 1650 feet of the East 1/2 of Section 29 in Washington County, Arkansas.

AND,

TRACT 2:

Section 30, Township 18 North and Range 30 West

All that part of the South 1/2 of the Southeast 1/4 and All that part of the Southeast 1/4 of the Southwest 1/4 not previously annexed to the City of Elm Springs in Washington County, Arkansas.

Section 32, Township 18 North and Range 30 West

All that part of the Northwest 1/4 and

All that part of the North 1/2 of the Southwest 1/4 not previously annexed to the City of Elm Springs in Washington County, Arkansas. LESS AND EXCEPT the South 1/2 of the Northwest 1/4 of the Southwest 1/4 of Section 32, Township 18 North and Range 30 West in Washington County, Arkansas.

Section 31. Township 18 North and Range 30 West

All the North 1/2 not previously annexed to the City of Elm Springs, and

All the North 1/2 of the Southeast 1/4 and

All the North 1/2 of the Southwest 1/4 and

All the Southeast 1/4 of the Southwest 1/4 and

All that part of the North 1/2 of the Southwest 1/4 of the Southwest 1/4 lying North and East of the centerline of Highway 112 in Washington County.

Section 36. Township 18 North and Range 31 West

All that land in the Northeast 1/4 and all that land in the Southeast 1/4 lying East of the centerline of Highway 112 in Section 36 in Washington County.

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 general election to be held on the 27th day of June, 1995. The City Recorder shall immediately notify the County Election Commission by forwarding a certified copy of this Ordinance.

SECTION 3: If at such election a majority of the qualified electors voting in such election shall vote for such annexation the municipality shall proceed to file a description and a map of the annexed area with the County Clerk of the County wherein the land lies and with the Secretary of State. The annexation shall be included within the corporate limits of the annexing City thirty (30) days following the filing of the description and map with the County Clerk, 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: If the annexation is approved and becomes final, the following services shall be extended to the area within three (3) years:

- A. Police protection shall be provided immediately upon annexation.
- B. Fire protection shall be provided on a contractual basis through the Montitown Fire Department.

C. Ambulance service shall be provided through the City of Springdale.

D. Streets shall be maintained to existing standards as soon as possible upon annexation.

E. Water shall be made available where lines exist.

SECTION 5: 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. 95-4-17

_____ AGAINST Annexation of the territory described in Ordinance No. 95-4-17.

SECTION 6: If any section, sentence, clause, or phrase of this Ordinance is for any reason held invalid or unconstitutional by a decision of any Court, such decision shall not affect the validity of the remaining portions of this Ordinance.

SECTION 7: All ordinances or parts of ordinances in conflict herewith are hereby repealed. This Ordinance specifically repeals and supersedes Ordinance No. 95-3-1. This action is necessary for the preservation of the peace, health, and safety of the citizens of the City of Elm Springs, Arkansas. An emergency is declared to exist because the area intended for annexation is in the Elm Springs Planning jurisdiction and this area is experiencing extensive growth and it is necessary to protect and maintain the high standards in effect in Elm Springs and for future citizens of Elm Springs and this Ordinance shall take effect and be in full force and effect from and after the date of its passage and publication.

PASSED AND APPROVED this 17th day of April, 1995.

CITY OF ELM SPRINGS, ARKANSAS

BY:



MAYOR OF ELM SPRINGS

ATTEST:



BARBARA A. DILLARD
CLERK/RECORDER

CERTIFICATE OF SERVICE

I, BARBARA A. DILLARD, City Recorder and Clerk of the City of Elm Springs, Arkansas, hereby certify that this Ordinance was duly passed and approved by a Two-thirds (2/3) vote of the total number of the governing body of the city of Elm Springs, Arkansas, this 17th day of April, 1995.

Barbara A. Dillard

BARBARA A. DILLARD
CLERK/RECORDER

ADDENDUM

The City of Elm Springs, Arkansas hereby expressly approves the language as proposed by the Washington County Election Commission and set out below for use on the Annexation election ballot:

VOTE FOR OR AGAINST ORDINANCE NO. 95-4-17
ANNEXING CONTIGUOUS AREAS IN RURAL
WASHINGTON COUNTY TO THE CITY OF
ELM SPRINGS, ARKANSAS:

_____ FOR ORDINANCE NO. _____.

_____ AGAINST ORDINANCE NO. _____.

ELM SPRINGS, ARKANSAS

BY: *Edward Theisse*
MAYOR EDWARD THEISSE

elect office, you may not retain your
must terminate your employment or
on the office sought.

Effective Date

The effective date of these general rules, policies and procedures shall be
the 3rd day of June, 1996

Adopted by the Governing Body
on the 3rd day of June, 1996
By Resolution No. R63-96

Distribution:

All General Employees

Personal Notes:

ORDINANCE NO. 96-10-1

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

WHEREAS, it appears to the Council of the City of Elm Springs, Arkansas, that certain hereinafter described territory contiguous to said City of Elm Springs, Arkansas, is necessary for the orderly growth of said City; and,

WHEREAS, some of the lands are platted and held for sale or use as municipal lots or whether platted or not, the lands are held to be sold as suburban property; and,

WHEREAS, the lands represent the actual growth of the City beyond its legal boundary, and,

WHEREAS, the lands are needed for proper municipal purposes; and,

WHEREAS, the lands are valuable by reason of their adaptability for prospective municipal uses,

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ELM SPRINGS, WASHINGTON COUNTY, ARKANSAS,

SECTION 1: That there shall be submitted to the qualified electors of the City of Elm Springs, Arkansas, the question of annexation of the following described territory to the City of Elm Springs, Arkansas, to-wit:

TRACT 1:

All that part of the south $\frac{1}{2}$ of Section 23, Township 18 North, Range 31 West, Benton County Arkansas, lying south of Benton County Road 70, not currently within the City of Elm Springs; and

the south $\frac{1}{2}$ of Section 24, Township 18 North, Range 31 West, Benton County Arkansas, lying west of Arkansas State Highway 112. Approximately 387 acres.

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 the 11 day of November, 1996. The City Recorder shall immediately notify the

Benton and Washington County Clerks and Election Commissions by forwarding a certified copy of this Ordinance and map.

SECTION 3: If at such election a majority of the qualified electors voting in such election shall vote for such annexation the municipality shall proceed to file a description and a map of the annexed area with the County Clerk of the County wherein the land lies and with the Secretary of State. The annexation shall be included within the corporate limits of the annexing City thirty (30) days following the filing of the description and map with the County Clerk, 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: If the annexation is approved and becomes final, the following services shall be extended to the area within three (3) years:

- A. Police protection shall be provided immediately upon annexation.
- B. Fire protection shall be provided on a contractual basis through the Tontitown Area Volunteer Fire Department.
- C. Ambulance service shall be provided through the City of Springdale.
- D. Streets shall be maintained, and developed where needed.
- E. Water shall be made available where lines exist.

SECTION 5: The ballots used at said election on the question of annexation shall be marked as follows:

VOTE FOR OR AGAINST ORDINANCE NO. 96-10-1
ANNEXING CONTIGUOUS AREAS IN RURAL BENTON
COUNTY TO THE CITY OF ELM SPRINGS, ARKANSAS:

_____ FOR ORDINANCE NO. 96-10-1.

_____ AGAINST ORDINANCE NO. 96-10-1.

SECTION 6: If any section, sentence, clause, or phrase of this Ordinance is for any reason held invalid or unconstitutional by a decision of any Court, such decision shall not affect the validity of the remaining portions of this Ordinance.

SECTION 7: All ordinances or parts of ordinances in conflict herewith are hereby repealed. This action is necessary for the preservation of the peace, health, and safety of the citizens of the City of Elm Springs, Arkansas. An emergency is declared to exist because the area intended for annexation is in the Elm Springs Planning jurisdiction and this area is experiencing extensive growth and it is necessary to protect and maintain the high standards in effect in Elm Springs and for future citizens of Elm Springs and this Ordinance shall take effect and be in full force and effect from and after the date of its passage and publication.

PASSED AND APPROVED this 7th day of Oct, 1996.

CITY OF ELM SPRINGS, ARKANSAS

BY: Edward Hines
MAYOR OF ELM SPRINGS

ATTEST:

Barbara A. Dillard
BARBARA A. DILLARD
CLERK/RECORDER

CERTIFICATE

I, BARBARA A. DILLARD, City Recorder and Clerk of the City of Elm Springs, Arkansas, hereby certify that this Ordinance was duly passed and approved by a Two-thirds (2/3) vote of the total number of the governing body of the City of Elm Springs, Arkansas, this 7th day of Oct, 1996.

Barbara A. Dillard
BARBARA A. DILLARD
CLERK/RECORDER

shall be submitted to the electors qualified to vote on this issue at a special election to be held on the 17 day of January, 1996. The City Recorder shall immediately notify the Benton and Washington County Clerks and Election Commissions by forwarding a certified copy of this Ordinance and map.

SECTION 3: If at such election a majority of the qualified electors voting in such election shall vote for such annexation the municipality shall proceed to file a description and map of the annexed area with the County Clerk of the County wherein the land lies and with the Secretary of State. The annexation shall be included within the corporate limits of the annexing City thirty (30) days following the filing of the description and map with the County Clerk, 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: If the annexation is approved and becomes final, the following services shall be extended to the area within three (3) years:

- A. Police protection shall be provided immediately upon annexation.
- B. Fire protection shall be provided on a contractual basis through the Tontitown Area Volunteer Fire Department.
- C. Ambulance service shall be provided through the City of Springdale.
- D. Streets shall be maintained, and developed where needed.
- E. Water shall be made available where lines exist.

SECTION 5: The ballots used at said election on the question of annexation shall be marked as follows:

VOTE FOR OR AGAINST ORDINANCE NO. 96-10-2
ANNEXING CONTIGUOUS AREAS IN RURAL BENTON
COUNTY TO THE CITY OF ELM SPRINGS, ARKANSAS:

_____ FOR ORDINANCE NO. 96-10-2

_____ AGAINST ORDINANCE NO. 96-10-2

SECTION 6: If any section, sentence, clause, or phrase of this Ordinance is for any reason held

invalid or unconstitutional by a decision of any Court, such decision shall not affect the validity of the remaining portions of this Ordinance.

SECTION 7. All ordinances or parts of ordinances in conflict herewith are hereby repealed. This action is necessary for the preservation of the peace, health, and safety of the citizens of the City of Elm Springs, Arkansas. An emergency is declared to exist because the area intended for annexation is in the Elm Springs Planning jurisdiction and this area is experiencing extensive growth and it is necessary to protect and maintain the high standards in effect in Elm Springs and for future citizens of Elm Springs and this Ordinance shall take effect and be in full force and effect from and after the date of its passage and publication.

PASSED AND APPROVED this 17th day of Oct, 1996.

CITY OF ELM SPRINGS, ARKANSAS

ATTEST:

Barbara Dillard
BARBARA A. DILLARD
CLERK/RECORDER

BY: Edward Howard
MAYOR OF ELM SPRINGS

CERTIFICATE

I, BARBARA A. DILLARD, City Recorder and Clerk of the City of Elm Springs, Arkansas, hereby certify that this Ordinance was duly passed and approved by a Two-thirds (2/3) vote of the total number of the governing body of the City of Elm Springs, Arkansas, this 17th day of Oct, 1996.

Barbara A. Dillard
BARBARA A. DILLARD
CLERK/RECORDER

I CERTIFY THIS IS A TRUE AND

CORRECT COPY OF THE ORIGINAL DOCUMENT.

DATED THIS 8th DAY OF Oct

18 26-10-22 Barbara Hillard

COURT CLERK

ORDINANCE NO. 26-10-22

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

WHEREAS, it appears to the Council of the City of Elm Springs, Arkansas, that certain hereinafter described territory contiguous to said City of Elm Springs, Arkansas, is necessary for the orderly growth of said City; and,

WHEREAS, some of the lands are platted and held for sale or use as municipal lots or whether platted or not, the lands are held to be sold as suburban property; and,

WHEREAS, the lands represent the actual growth of the City beyond its legal boundary, and,

WHEREAS, the lands are needed for proper municipal purposes; and,

WHEREAS, the lands are valuable by reason of their adaptability for prospective municipal uses,

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ELM SPRINGS, WASHINGTON COUNTY, ARKANSAS,

SECTION 1: That there shall be submitted to the qualified electors of the City of Elm Springs, Arkansas, the question of annexation of the following described territory to the City of Elm Springs, Arkansas, to-wit:

TRACT 2:

The south ½ of Section 24, Township 18 North, Range 31 West, Benton County Arkansas, lying east of Arkansas State Highway 112; and

the south ½ of Section 19, Township 18 North, Range 30 West, Benton County Arkansas; and

that part of the southwest 1/4 of Section 20, Township 18 North, Range 30 West, Benton County Arkansas, lying south and west of Benton County Road 232. Approximately 509 acres.

SECTION 2: The question of annexation of the territory described above in Section 1,

ORDINANCE NO. 96-10-3

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

WHEREAS, it appears to the Council of the City of Elm Springs, Arkansas, that certain hereinafter described territory contiguous to said City of Elm Springs, Arkansas, is necessary for the orderly growth of said City; and,

WHEREAS, some of the lands are platted and held for sale or use as municipal lots or whether platted or not, the lands are held to be sold as suburban property; and,

WHEREAS, the lands represent the actual growth of the City beyond its legal boundary, and,

WHEREAS, the lands are needed for proper municipal purposes; and,

WHEREAS, the lands are valuable by reason of their adaptability for prospective municipal uses,

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ELM SPRINGS, WASHINGTON COUNTY, ARKANSAS,

SECTION 1: That certain lands more particularly described as Tract 3 in Exhibit "A" attached hereto and made a part hereof should be annexed to the City of Elm Springs, Arkansas.

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 the 17 day of December, 1996. The City Recorder shall immediately notify the Washington County Clerk and Election Commission by forwarding a certified copy of this Ordinance and map.

SECTION 3: If at such election a majority of the qualified electors voting in such election shall vote for such annexation the municipality shall proceed to file a description and a map of the annexed area with the County Clerk of the County wherein the land lies and with the Secretary of State. The annexation shall be included within the corporate limits of the annexing City thirty (30) days following the filing of the description and map with the County Clerk, 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: If the annexation is approved and becomes final, the following services shall be extended to the area within three (3) years:

- A. Police protection shall be provided immediately upon annexation.
- B. Fire protection shall be provided on a contractual basis through the Tontitown Area Volunteer Fire Department.

- C. Ambulance service shall be provided through the City of Springdale.
- D. Streets shall be maintained, and developed where needed.
- E. Water shall be made available where lines exist.

SECTION 5: The ballots used at said election on the question of annexation shall be marked as follows:

VOTE FOR OR AGAINST ORDINANCE NO. 96-10-3
 ANNEXING CONTIGUOUS AREAS IN RURAL WASHINGTON
 COUNTY TO THE CITY OF ELM SPRINGS, ARKANSAS:

_____ FOR ORDINANCE NO. 96-10-3
 _____ AGAINST ORDINANCE NO. 96-10-3.

SECTION 6: If any section, sentence, clause, or phrase of this Ordinance is for any reason held invalid or unconstitutional by a decision of any Court, such decision shall not affect the validity of the remaining portions of this Ordinance.

SECTION 7: All ordinances or parts of ordinances in conflict herewith are hereby repealed. This action is necessary for the preservation of the peace, health, and safety of the citizens of the City of Elm Springs, Arkansas. An emergency is declared to exist because the area intended for annexation is in the Elm Springs Planning jurisdiction and this area is experiencing extensive growth and it is necessary to protect and maintain the high standards in effect in Elm Springs and for future citizens of Elm Springs and this Ordinance shall take effect and be in full force and effect from and after the date of its passage and publication.

PASSED AND APPROVED this 7th day of Oct., 1996.

CITY OF ELM SPRINGS, ARKANSAS

BY: Edward Fremd
 MAYOR OF ELM SPRINGS

ATTEST:
Barbara A. Dillard
 BARBARA A. DILLARD
 CLERK/RECORDER

CERTIFICATE

I, BARBARA A. DILLARD, City Recorder and Clerk of the City of Elm Springs, Arkansas, hereby certify that this Ordinance was duly passed and approved by a Two-thirds (2/3) vote of the total number of the governing body of the City of Elm Springs, Arkansas, this 7th day of Oct., 1996.

Barbara A. Dillard
 BARBARA A. DILLARD
 CLERK/RECORDER

TRACT 3
Beginning at a point $\frac{1}{4}$ mile West of the Northeast Corner of
Section 26 Township 18 North and Range 31 West

Thence South $\frac{1}{4}$ mile

Thence East $\frac{1}{4}$ mile

Thence South $\frac{1}{4}$ mile

Thence East $\frac{1}{4}$ mile

Thence South $\frac{1}{4}$ mile

Thence East to the Centerline of State Highway 112
Thence Southeast with said Centerline of State Highway 112 to the

North line of the South $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of the Southwest

$\frac{1}{4}$ of Section 31 Township 18 North and Range 30 West

Thence West to the Northwest Corner South $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of

the Southeast $\frac{1}{4}$ of Section 36 Township 18 North and Range 31

West

Thence North to the Northeast Corner of the Southwest $\frac{1}{4}$ of said
Section 36

Thence West to the Northwest Corner of the Southwest $\frac{1}{4}$ of said

Section 36

Thence South to the Southwest Corner of said Section 36
Thence West to the Southwest Corner of Section 35 Township 18 North
and Range 31 West

Thence North to the Northwest Corner of Section 26 Township 18
North and Range 31 West

Thence East to the point of beginning and subject to all that land
annexed to the City of Elm Springs by Ordinance 94-3-B

APPROXIMATELY 1616 ACRES

EXHIBIT "A"

DATED THIS 28th DAY OF Oct
19 96 Barbara Hillard
COURT CLERK

ORDINANCE NO. 96-10-4

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

WHEREAS, it appears to the Council of the City of Elm Springs, Arkansas, that certain hereinafter described territory contiguous to said City of Elm Springs, Arkansas, is necessary for the orderly growth of said City; and,

WHEREAS, some of the lands are platted and held for sale or use as municipal lots or whether platted or not, the lands are held to be sold as suburban property; and,

WHEREAS, the lands represent the actual growth of the City beyond its legal boundary, and,

WHEREAS, the lands are needed for proper municipal purposes; and,

WHEREAS, the lands are valuable by reason of their adaptability for prospective municipal uses,

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ELM SPRINGS, WASHINGTON COUNTY, ARKANSAS,

SECTION 1: That certain lands more particularly described as Tract 4 in Exhibit "B" attached hereto and made a part hereof should be annexed to the City of Elm Springs, Arkansas.

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 the 17 day of November, 1996. The City Recorder shall immediately notify the Washington County Clerk and Election Commission by forwarding a certified copy of this Ordinance and map.

SECTION 3: If at such election a majority of the qualified electors voting in such election shall vote for such annexation the municipality shall proceed to file a description and a map of the annexed area with the County Clerk of the County wherein the land lies and with the Secretary of State. The annexation shall be included within the corporate limits of the annexing City thirty (30) days following the filing of the description and map with the County Clerk, 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: If the annexation is approved and becomes final, the following services shall be extended to the area within three (3) years:

- A. Police protection shall be provided immediately upon annexation.
- B. Fire protection shall be provided on a contractual basis through the Tonitown Area Volunteer Fire Department.

- C. Ambulance service shall be provided through the City of Springdale.
- D. Streets shall be maintained, and developed where needed.
- E. Water shall be made available where lines exist.

SECTION 5: The ballots used at said election on the question of annexation shall be marked as follows:

VOTE FOR OR AGAINST ORDINANCE NO. 26-10-4
ANNEXING CONTIGUOUS AREAS IN RURAL WASHINGTON
COUNTY TO THE CITY OF ELM SPRINGS, ARKANSAS:

_____ FOR ORDINANCE NO. 26-10-4.
_____ AGAINST ORDINANCE NO. 26-10-4.

SECTION 6: If any section, sentence, clause, or phrase of this Ordinance is for any reason held invalid or unconstitutional by a decision of any Court, such decision shall not affect the validity of the remaining portions of this Ordinance.

SECTION 7: All ordinances or parts of ordinances in conflict herewith are hereby repealed. This action is necessary for the preservation of the peace, health, and safety of the citizens of the City of Elm Springs, Arkansas. An emergency is declared to exist because the area intended for annexation is in the Elm Springs Planning jurisdiction and this area is experiencing extensive growth and it is necessary to protect and maintain the high standards in effect in Elm Springs and for future citizens of Elm Springs and this Ordinance shall take effect and be in full force and effect from and after the date of its passage and publication.

PASSED AND APPROVED this 7th day of Oct, 1996.

CITY OF ELM SPRINGS, ARKANSAS

BY: Edward Stevens
MAYOR OF ELM SPRINGS

ATTEST:

Barbara A. Dillard
BARBARA A. DILLARD
CLERK/RECORDER

CERTIFICATE

I, BARBARA A. DILLARD, City Recorder and Clerk of the City of Elm Springs, Arkansas, hereby certify that this Ordinance was duly passed and approved by a Two-thirds (2/3) vote of the total number of the governing body of the City of Elm Springs, Arkansas, this 7th day of Oct, 1996.

Barbara A. Dillard
BARBARA A. DILLARD
CLERK/RECORDER

EXHIBIT B

TRACT 4

Beginning on the Centerline of State Highway 112 on the North line of Section 36 Township 18 North and Range 31 West

Thence East to a point 600' West of the Southeast Corner of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 30 Township 18 North and Range 30 West

Thence North 66° East to a point 250' North of the Southeast Corner of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 30

Thence North 41° 30' East 640'

Thence South 87° East 440'

Thence South 52° East 540' to a point 909' South of the Northeast Corner of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 30

Thence North 39° East 349'

Thence South 85° East 96'

Thence North 43° East 151'

Thence South 70° East 125'

Thence North 60° East 105' to the East line of the West $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 30

Thence South to the South line of Section 30

Thence West to a point 750.6' West of the Northeast Corner of Section 31 Township 18 North and Range 30 West

Thence South 12° 20' West 92'

Thence South 10° 36' East 137.5'

Thence South 27° 55' East 137.5'

Thence South 36° 55' East 92'

Thence South 60° 20' East 92'

Thence North 53° 15' East 46.5'

Thence South 58° 00' East 71.9'

Thence South 38° 00' East 187.5'

Thence South 7° 44' East 116.2'

Thence South 82° 10' East 218.1'

Thence South 4° 00' West 149'

Thence East 108' to a point on the East line of Section 31 Thence South to the North shore of Elmdale Lake as established by previous annexations

Thence Southeasterly with said North shore to a point on the North line of the Southwest $\frac{1}{4}$ of Section 32 Township 18 North and Range 30 West

Thence East to the Northeast Corner of the Southwest $\frac{1}{4}$ of Section 32

Thence South to a point 315' North of the Southeast Corner of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 32

Thence West 198'

Thence South 100'

Thence Northwesterly to a point 660' North of the Southwest Corner of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 32

Thence West to the Northwest Corner of the South $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 32

Thence South with the West Section line of Section 32 Township 18 North and Range 30 West and Section 5 Township 17 North and Range 30 West to the Northeast Corner of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ Section 6 Township 17 North and Range 30 West

Thence West to the Northwest Corner of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 6

EXHIBIT "B"

Exhibit "B"

TRACT 4 CONTINUED

Thence North to the Northeast Corner of the Northwest $\frac{1}{4}$ of Section 6
Thence West to the Southeast Corner of the South $\frac{1}{2}$ of the Southwest
 $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 31 Township 18 North and Range
30 West
Thence North to the Northeast Corner of the South $\frac{1}{2}$ of the
Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$
Thence West to the Centerline of State Highway 112
Thence Northwesterly with the Centerline of said Highway 112 to the
point of beginning and subject to any land previously annexed
to the City of Elm Springs

LESS AND EXCEPT

All that land owned by the Arkansas Game and Fish Commission in
Sections 30, 31 and 32 Township 18 North and Range 30 West
being all of ELMDALE LAKE

APPROXIMATELY 770 ACRES

Exhibit "B"

ORDINANCE NO. 2003- 05

AN ORDINANCE TO CONCUR IN THE CITY
OF SPRINGDALE, ARKANSAS, ORDINANCE NO. 3298,
DETACHING CERTAIN LANDS IN ELM SPRINGS, ARKANSAS,
AND ANNEXING THE LANDS TO SPRINGDALE, ARKANSAS

WHEREAS, the City of Elm Springs has held a public hearing on City of Springdale, Arkansas, Ordinance No. 3298, which detaches certain lands in Elm Springs, Arkansas, and annexes said lands to Springdale, Arkansas, and the City of Elm Springs hereby concurs in Ordinance No. 3298 proposed by the City of Springdale, Arkansas.

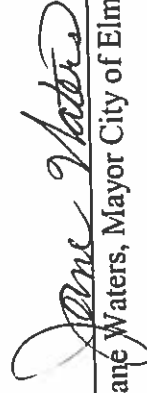
NOW THEREFORE, BE IT HEREBY ORDAINED by the City Council of the City of Elm Springs, Arkansas:

Section 1. That the City of Elm Springs hereby concurs in the detachment and annexation as set forth in Springdale Ordinance No. 3298, a copy of which is attached hereto.

Section 2. In the event any one or more of the provisions contained in this Ordinance shall for any reason be held by a Court of Law to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect the remaining provisions of this Ordinance, and this Ordinance shall be construed as if such invalid, illegal or unenforceable provision or provisions had never been contained herein.


PASSED AND APPROVED this 16th day of June, 2003.

APPROVED:



Jane Waters, Mayor City of Elm Springs

ATTEST:



Glenda Pettus, City Clerk

PROOF OF POSTING OF ORDINANCE

STATE OF ARKANSAS

COUNTY OF Washington

We, Jane Waters and Blenda Pittus, do solemnly swear that as Mayor and City Clerk, respectively, of and for the City of Elm Springs, Washington County, Arkansas, that a certified copy of Ordinance No. 2003-05 (the "Amended Ordinance") was, on the 1st day of August, 2007, duly posted in five (5) separate and distinct places inside the corporate limits of the City in accordance with Ordinance No. 01-10, and that the Ordinance remained posted for thirty (30) days.

DATED this 1st day of August, 2007.

Jane Waters
Mayor

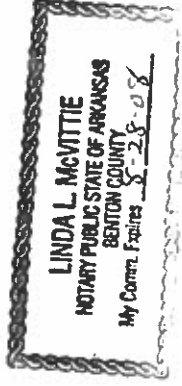
Blenda Pittus
City Clerk

(SEAL)

SUBSCRIBED AND SWORN to before me, a Notary Public, on this 1st day of August, 2007.
"
"
Linda L. McVittie
Notary Public

My Commission Expires:

8-28-08



AN ORDINANCE DETACHING CERTAIN LANDS IN ELM SPRINGS, ARKANSAS AND ANNEXING THE LANDS TO SPRINGDALE, ARKANSAS; AND FOR OTHER PURPOSES.

WHEREAS, the boundaries of the City of Elm Springs, Arkansas, and the City of Springdale, Arkansas are contiguous and adjoin one another;

WHEREAS, the City of Springdale, Arkansas desires to have that property consisting of Tracts 1 through 28 and described in Exhibit "A," which is attached hereto and made a part hereof, detached from the City of Elm Springs, Arkansas, and annexed into the City of Springdale, Arkansas;

WHEREAS, the City of Springdale, under the procedure set out in Ark. Code Ann. §14-40-2101, calls for the simultaneous detachment of the lands described in Exhibit "A" from the City of Elm Springs, Arkansas, and the annexation of said lands into the City of Springdale, Arkansas;

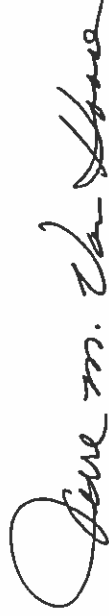
WHEREAS, the reasons for proposing such action to detach from Elm Springs, Arkansas and annex into Springdale, Arkansas, is to make all of HarBer Avenue part of the City of Springdale, which will allow for improved and uniformed maintenance to all of HarBer Avenue.

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

Section 1. The City of Springdale hereby calls for the simultaneous detachment of the 28 tracts of land described in Exhibit "A," which is attached hereto and made a part hereof, from the City of Elm Springs, Arkansas, and the annexation of the said lands into the City of Springdale, Arkansas.

Section 2. This ordinance shall be referred to the City of Elm Springs, Arkansas, so that they may conduct a public hearing within 60 days to consider the ordinance and the Director of Planning and Community Development of the City of Springdale shall, at least 15 days prior to the date of the public hearing, publish a legal notice setting out the date, time and location of the hearing and a legal description of the lands proposed to be detached from Elm Springs and annexed into the City of Springdale.

PASSED AND APPROVED this 25th day of February, 2003.



Tract 4: Burgess, June Trust

A part of the Northeast Quarter (NE ¼) of the Southwest Quarter (SW ¼) of Section 32, Township 18 North, Range 30 West of the Fifth Principal Meridian, Washington County, Arkansas; being more particularly described as follows: Beginning at the Southwest Corner of said NE ¼ of the SW ¼ of Section 32 and run thence S 88°09'46" E along the South line of said NE ¼ of the SW ¼ a distance of 713.48 feet to a steel pin which is the Point of Beginning, and run thence N 03°24'26" E a distance of 389.78 feet to a found steel pin at the NE corner of the Curry property described in Deed Record 96-18831, thence S 67°38'34" E along the South line of the Arkansas Game and Fish Commission property as described indeed Record 96-18823 a distance of 212.10 feet to a found steel pin; thence S 02°53'01" W a distance of 315.34 feet to the South line of the NE ¼ of the SW ¼, thence N 88°09'46" W along said south line a distance of 203.60 feet to the Point of Beginning, containing 1.63 acres, more or less, subject to the right-of-way of Har-Ber Ave. on the South and easements of record. Bearings are oriented to Arkansas State Plane Coordinate grid, North Zone (0301).

Tract 5: Couch, Earl W. & Eva J.

A part of the Northeast Quarter (NE ¼) of the Southwest Quarter (SW ¼) of Section 32, Township 18 North, Range 30 West of the 5th Principal Meridian, Washington County, Arkansas; being more particularly described as follows: Beginning at the found steel pin at the NE Corner of said NE ¼ of the SW ¼ as shown in Plat Record 94021903 and run thence S 01°01'07" W a distance of 1005.00 feet to a found steel pin, thence S 00°56'36" W along the West line of the Brush Creek Golf Course as shown in said Plat Record 94021903 a distance of 46.84 feet to a barbed wire fence, which is the Point of Beginning, thence along said barbed wire fence N 70°41'20" W a distance of 65.25 feet, thence continuing with said fence S 66°28'37" W a distance of 56.44 feet, thence continuing with said fence N 81°13'49" W a distance of 85.37 feet, thence leaving said fence N 00°43'57" E a distance of 39.04 feet to a steel pin in the thread of Brush Creek, thence continuing with the thread of Brush Creek N 62°48'38" W a distance of 134.64 feet, thence continuing with said thread N 55°46'06" W a distance of 43.16 feet, thence continuing with said thread of Brush Creek N 65°24'59" W a distance of 53.54 feet to the point of intersection of said thread and the Arkansas Game and Fish Commission boundary as described in Deed Book 453 at Page 358, thence S 02°53'01" W a distance of 417.96 feet to the South line of said NE ¼ of the SW ¼, thence S 87°44'30" E along the said South line a distance of 418.14 feet to a steel pin found at the SW Corner of said Brush Creek Golf Course as shown in said Plat Record 94021903, thence N 00°56'36" E a distance of 274.73 feet to the Point of Beginning, containing 3.08 acres, more or less, and subject to the right-of-way of Har-Ber Ave. on the South, a flowage easement below elevation 1250 feet, MSL, and other easements and covenants of record, if any.

Tract 1: Slaughter, Gordon & Barbara

Part of the Northeast Quarter (NE ¼) of the Southwest Quarter (SW ¼) of Section 32, Township 18 North, Range 30 West, being more particularly described as follows: Beginning at a point S 89°23'23" E 284.38 feet from the Southwest corner of said NE ¼ of the SW ¼ of Section 32; thence N 00°44'58" E 596.28 feet; thence along Arkansas Game and Fish property S 63°00'00" E 218.95 feet and S 50°00'00" E 51.41 feet; thence S 5°33'22" W 95.61 feet; thence N 89°17'50" W 122.07 feet; thence S 00°31'47" W 371.28 feet to the south line of said 40 acre tract; thence N 89°23'23" W 107.52 feet; to the point of beginning, containing 1.80 acres, more or less, and subject to the right-of-way of Washington County Road #910 along the South side of the property. Also being subject to an easement to the Arkansas Game and Fish Commission as found in Book 453, page 359, as filed in the Washington County Circuit Clerk's office.

Tract 2: Slaughter, Bruce R. & Mary Beth

A part of the Northeast Quarter (NE ¼) of the Southwest Quarter (SW ¼) of Section 32, Township 18 North, Range 30 West, being more particularly described as follows: Beginning at a point S 89°23'23" E 391.90 feet from the Southwest Corner of said NE ¼ of the SW ¼ of Section 32; thence along the South line of said NE ¼ of the SW ¼ of Section 32, S 89°23'23" E 112.58 feet; thence N 01°59'42" E 371.19 feet; thence N 89°17'50" W 122.07 feet; thence S 00°31'47" W 371.28 feet to the point of beginning, containing 1.00 acres, more or less, and subject to the right-of-way of Washington County Road #910 along the South side of the property. Also subject to an easement to the Arkansas Game and Fish Commission as found in Book 453, page 359, as filed in the Washington County Circuit Clerk's office.

Tract 3: Curry, Arlen V. & Sherri L.

A part of the Northeast Quarter (NE ¼) of the Southwest Quarter (SW ¼) of Section 32, Township 18 North, Range 30 West of the Fifth Principal Meridian, Washington County, Arkansas, being more particularly described as follows: Beginning at the Southwest corner of said NE ¼ of the SW ¼ of said Section 32, thence S 88°09'46" E along said South line a distance of 508.43 feet to the Point of Beginning, thence N 03°04'35" E 369.14 feet to a found steel pin, thence N 06°50'52" E 95.59 feet, thence S 67°38'34" E 212.96 feet to a set steel pin; thence S 03°24'26" W 57.62 feet to a found steel pin; thence S 03°24'26" W 302.16 feet to said South line of the NE ¼ of the SW ¼, thence N 88°09'46" W along said south line a distance of 205.09 feet to the Point of Beginning. This parcel contains 2.02 acres, more or less, subject to the right-of-way of Har-Ber Ave. on the South and all easements or interest of record. Subject to easements, rights-of-way and restrictive covenants of record, if any.

Exhibit "A"

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Tract 6: Taylor, Lonnie G. & Sonja

A part of the NW ¼ of the SE ¼ of Section 32, Township 18 North, Range 30 West, being more particularly described as follows: Beginning at an iron pin marking the Southwest corner of the NW ¼ of the SE ¼ of said Section 32 and running thence N 00°18'13" W 321.57 feet to an iron pin; thence S 64°52'00" E 220 feet to an iron pin; thence S 00°18'00" E 230.5 feet to an iron pin located on the South line of said 40 acre tract; thence N 89°18'33" W 198.7 feet to the point of beginning, containing 1.26 acres, more or less, Elm Springs, Washington County, Arkansas.

AND

The West 35 feet of Tract 3 as shown on the 11-10-94 Plat of Survey for Brush Creek Golf Course, Washington County, Arkansas, better described as beginning at an iron pin located on the South line of the NW ¼ of the SE ¼ of Section 32, Township 18 North, Range 30 West, that is S 89°18'33" E 198.7 feet from the SW corner of said 40 acre tract; running thence N 00°18'00" W 230.5 feet to an iron pin; thence S 64°52'00" E 35 feet; thence S 00°18'00" E to a point on the South line of the NW ¼ of the SE ¼; thence S 89°18'33" W to the point of beginning. Subject to easements.

Tract 7: Taylor, Timothy J. & Mila

A part of the NW ¼ of the SE ¼ of Section 32, Township 18 North, Range 30 W, being more particularly described as follows: Beginning at an iron pin located on the South line of the NW ¼ of the SE ¼ of said Section 32 that is S 89°18'33" E 198.7 feet from the Southwest corner of said 40 acre tract; running thence N 00°18'00" W 230.5 feet to an iron pin; thence S 64°52'00" E 255.5 feet to an iron pin; thence S 00°18'00" E 124.8 feet to an iron pin located on the South line of said 40 acre tract; thence N 89°18'33" W 230.8 feet to the point of beginning, containing 0.94 acres, more or less, Elm Springs, Washington County, Arkansas.

Subject to the Har-Ber Ave. right-of-way along the South side and any other easements and/or right-of-ways of record.

Tract 8: Brush Creek Golf Course, Inc.

A part of the NE ¼ of the SW ¼ and a part of the NW ¼ of the SE ¼ of Section 32, Township 18 North, Range 30 West, being more particularly described as follows: Beginning at an iron pin located at the Southwest corner of the NW ¼ of the SE ¼ of said Section 32 and running thence N 00°18'13" W 321.57 feet to an iron pin; thence West 198.0 feet to the East boundary line of Lake Elmdale; thence Northwesterly along said East line the following: South 62.08 feet, N 73°21'50" W 105.4 feet, N 37°00'00" W 490.00 feet, N 11°00'00" W 252.0 feet, N 25°00'00" W 292.0 feet, N 47°00'00" W 210.0 feet to an iron pin located on the North line of the NE ¼ of the SW ¼ of said Section 32; thence leaving said East line S 89°23'40" E 915 feet to an iron pin located at the Northwest corner of the NW ¼ of the SE ¼ of said Section 32; thence S 89°19'02" E

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1097.1 feet to an iron pin located on the North line of the NW ¼ of the SE ¼ of said Section 32; thence leaving said North line and running S 00°03'24" E 1326.65 feet to an iron pin located on the South line of the NW ¼ of the SE ¼ of said Section 32; thence N 89°18'23" W 1092.7 feet to the point of beginning, containing 47.65 acres, more or less, Elm Springs, Washington County, Arkansas.

Subject to easements, rights-of-way and protective covenants of record, if any.

AND

A part of the Northeast Quarter of the Southwest Quarter of Section 32, Township 18 North, Range 30 West of the 5th Principal Meridian, Washington County, Arkansas; being more particularly described as follows: Commence at the found steel pin at the Northeast corner of said Northeast Quarter of the Southwest Quarter as shown in the Plat Record 94021903 and run thence S 01°01'07" W a distance of 1005.00 feet to a found steel pin which is the point of beginning, thence S 00°56'36" W along the West line of the Brush Creek Golf Course as shown in said Plat Record 94021903 a distance of 46.84 feet to a barbed wire fence, thence along said barbed wire fence N 70°41'20" W a distance of 65.25 feet, thence continuing with said fence S 66°28'37" W a distance of 56.44 feet, thence continuing with said fence N 81°13'49" W a distance of 85.37 feet, thence leaving said fence N 00°43'57" E a distance of 39.04 feet to a steel pin set in the thread of Brush Creek, thence S 88°45'10" E a distance of 198.00 feet to the point of beginning, containing 0.18 acres, more or less.

Subject to easements, rights-of-way and restrictive covenants of record, if any.

Tract 9: Paschal, Vail & Rita H.

A part of the NW ¼ of the SE ¼ and a part of the NE ¼ of the SE ¼ of Section 32, Township 18 North, Range 30 West, being more particularly described as follows: Beginning at an iron pin marking the Southeast corner of the NW ¼ of the SE ¼ of said Section 32 and running thence N 89°18'33" W 227.76 feet to an iron pin located on the centerline of Har-Ber Ave. (County Road No. 910); thence N 00°03'24" W 1326.65 feet to an iron pin located on the North line of said NW ¼ of the SE ¼, thence S 89°19'02" E 227.76 feet to an iron pin marking the Northwest corner of the NE ¼ of the SE ¼ of said Section 32, thence S 89°28'19" E 401.51 feet along the North line of said 40 acre tract to an iron pin; thence leaving said North line S 00°15'00" W 800.13 feet to an iron pin; thence N 89°39'55" W 167.69 feet to an iron pin; thence South 525.1 feet to an iron pin located on the South line of the NE ¼ of the SE ¼ of said Section 32; thence N 89°41'00" W 228.00 feet to the point of beginning, containing 17.04 acres, more or less, City of Elm Springs, Washington County, Arkansas.

Subject to the Har-Ber Ave. (Washington County Road No. 910) right-of-way along the South line, a 100 foot wide SWEPCO transmission line easement running East and West

through the center of the herein described 17.04 acre tract, and any other easements and/or right-of ways of record.

Tract 10: Wheat, Ronnie Dale & O. Robin

Part of the Northeast Quarter (NE ¼) of the Southeast Quarter (SE ¼) of Section 32, Township 18 North, Range 30 West, Washington County, Arkansas, being more particularly described as follows: Commencing at a found iron pin at the Southeast corner of the NE ¼ of the SE ¼ of said Section 32; thence N 89°41'00" West 764.50 feet to the Point of Beginning; thence N 89°41'00" W 330.01 feet; thence North 525.10 feet; thence S 89°39'55" E 167.70 feet; thence N 00°15'00" E 272.13 feet; thence S 89°28'19" E 330.0 feet; thence S 00°15'00" W 271.02 feet; thence N 89°39'55" W 167.69 feet; thence South 525.0 feet to the point of beginning, containing 6.0 acres, more or less.

Subject to easements, rights-of-way and protective covenants of record, if any.

Tract 11: Barrales, Rogelio; Patolzin, Lilia

A part of the Northeast Quarter (NE ¼) of the Southeast Quarter (SE ¼) of Section 32, Township 18 North, Range 30 West, Washington County, Arkansas, being more particularly described as follows: Commencing at the Southwest corner of said NE ¼ of the SE ¼ of Section 32, thence S 89°41'00" E 559.00 feet to the point of beginning; thence N 525.00 feet; thence S 89°36'55" E 167.69 feet; thence S 00°00'20" W 525.02 feet; thence N 89°36'26" W 167.64 feet along the North right-of-way of Washington Count Road #910 to the point of beginning, containing 2.02 acres, more or less. Also all that part of the SE ¼ of the SE ¼ of Section 32, Township 18 North, Range 30 West, lying North of the centerline of Har-Ber Ave., which lies immediately South and adjacent to the above described lands and which lies within the boundary created by the extension of the East and West lines of the above described lands. Subject to a right-of-way grant to Arkansas Western Gas Company, as found in Book 640, Page 419 in the Records of Washington County, Arkansas.

Tract 12: English, John W. & Karen Sue

Part of the Northeast Quarter (NE ¼) of the Southeast Quarter (SE ¼) of Section Thirty-Two (32) in Township Eighteen (18) North of Range Thirty (30) West, and being more particularly described as follows: Beginning at the Southeast corner of the above described forty acre tract, and running thence West 593.3 feet for a beginning corner to the lands hereby intended to be conveyed, and running thence North 1320 feet; thence East 214.15 feet; thence South 1320 feet; thence West 214.15 feet to the beginning corner, and containing 6.5 acres, more or less.

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Tract 13: McCollough, Don

All that part of the Northeast Quarter of the Southeast Quarter of Section 32, in Township 18 North, Range 30 West of the Fifth Principal Meridian, described as follows, to-wit: Beginning at a point 379.15 feet West of the Southeast corner of said 40 acre tract, thence North 240 feet, thence East 70 feet, thence South 240 feet, thence West 70 feet to the point of beginning.

Tract 14: McCollough, Bill & Dollie

Part of the Northeast Quarter of the Southeast Quarter of Section Thirty-Two, Township Eighteen North, Range Thirty West, and being more particularly described as follows: Beginning at the Southeast corner of the above described 40 acre tract and running thence West 165 feet for a beginning corner to the lands hereby intended to be conveyed and running thence North 1320 feet; thence West 428.3 feet; thence South 1320 feet; thence East 428.3 feet to the beginning corner and containing 13 acres more or less. Subject to all easements of record.

Tract 15: McCollough, William Stillie & Dolly

Part of the Northeast Quarter (NE ¼) of the Southeast Quarter (SE ¼) of Section Thirty-Two (32), Township Eighteen (18) North, Range Thirty (30) West, described as follows, to-wit: Beginning at the Southeast Corner of said forty acre tract; thence West 165 feet; thence North 1320 feet; thence East 165 feet; thence South 1320 to the point of beginning, containing five (5) acres, more or less.

Tract 16: Baker, Delbert & Earlene

Part of the Northwest Quarter (NW ¼) of the Southwest Quarter (SW ¼) of Section Thirty-Three (33), Township Eighteen (18) North, Range Thirty (30) West, described as follows, to-wit: Beginning at the Southwest corner of said 40 acre tract, thence North 39 ½ rods, thence East 264 feet, thence South 39 ½ rods, thence West 264 feet to the point of beginning, and containing 4 acres, more or less.

Tract 17: White, David H. & Cloma Dean

Part of the Northwest Quarter (NW ¼) of the Southwest Quarter (SW ¼) of Section Thirty-three (33), Township Eighteen (18) North, Range Thirty (30) West, more particularly described as follows, to-wit: Beginning at a point 264 feet N 89°30' E of the Southwest corner of said 40 acre tract, thence North 300 feet, thence N 89°30' E 108.5 feet, thence South 300 feet, thence S 89°30' W 108.5 feet to the point of beginning.

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Tract 18: Lomonaco, Anthony V. & P. Marika

Part of the Northwest Quarter (NW ¼) of the Southwest Quarter (SW ¼) of Section Thirty-three (33), Township Eighteen (18) North, Range Thirty (30) West, more particularly described as follows, to-wit: Beginning at a point 372.5 feet North 89°30' E of the Southwest corner of said 40 acre tract, thence North 300 feet, thence North 89°30' E 108.5 feet; thence South 300 feet; thence South 89°30' W 108.5 feet to the point of beginning

Tract 19: Graham, Delton Ray & Carolyn M.

Part of the Northwest Quarter (NW ¼) of the Southwest Quarter (SW ¼) of Section Thirty-three (33), Township Eighteen (18) North, Range Thirty (30) West, more particularly described as follows, to-wit: Beginning at a point 481 feet East of the Southwest corner of said forty acre tract, thence North 319 feet, thence East 294 feet, thence South 319 feet, thence West 294 feet to the point of beginning, and containing 2.15 acres, more or less.

Tract 20: Canup, Gary & Sue

Part of the Northwest Quarter (NW ¼) of the Southwest Quarter (SW ¼) of Section Thirty-three (33), in Township (18) North, of Range Thirty (30) West, and being more particularly described as follows, to-wit: Beginning at the Southeast corner of said 40 acre tract, and running thence West 545 feet; thence North 319 feet; thence West 511 feet; thence North 332.75 feet; thence East 396 feet; thence North 275.22 feet; thence East 660 feet to the East line of said 40 acre tract; thence South 926.97 feet to the point of beginning, and containing 16.26 acres, more or less.

Tract 21: Fulfer, James P. & Catherine

Part of the Southwest Quarter (SW ¼) of the Southwest Quarter (SW ¼) of Section 33, Township 18 North, Range 30 West, Washington County, Arkansas, being more particularly described as follows, to-wit: beginning at the Northwest corner of said 40 acre tract, run Souin 783.00 feet; thence East 178.00 feet; thence North 738.00 feet; thence West 178.00 feet to the point of beginning.

Tract 22: Woods, Roy L. & Johnnie M.

Part of the Southwest Quarter (SW ¼) of the Southwest Quarter (SW ¼) of Section 33, Township 18 North, Range 30 West, being more particularly described as beginning at a point S 89°30' E 178.10 feet from the Northwest corner of the Southwest Quarter of the Southwest Quarter of said Section 33, thence S 89°30' E 166.90 feet; thence South

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783.00 feet; thence N 89°30' W 166.90 feet; thence North 783.00 feet to the point of beginning, containing 3.0 acres, more or less, Washington County, Arkansas. Subject to any easements or rights-of-way of record.

Tract 23: Errett Family Trust

A part of the Southwest Quarter (SW ¼) of the Southwest Quarter (SW ¼) of Section Thirty-three (33), Township Eighteen (18) North, Range Thirty (30) West, being more particularly described as follows, to-wit: Beginning at a point S 89°30' E 450.00 feet from the Northwest corner of said forty acre tract, and running, thence N 89°30' W 105 feet; thence South 783.00 feet; thence S 89°30' E 105.00 feet; thence North 783.00 feet to the point of beginning, containing 1.89 acres, more or less. Subject to that portion contained in the County Road along the North side of herein described tract.

Tract 24: Oliphant, Jan

Part of the Southwest Quarter (SW ¼) of the Southwest Quarter (SW ¼) of Section Thirty-three (33) in Township Eighteen (18) North of Range Thirty (30) West, described as beginning at a point 490 feet East of the Northwest corner of said forty acre tract, thence East 112 feet, thence South 783 feet, thence West 112 feet, thence North 783 feet to the point of beginning, containing two (2) acres, more or less.

Tract 25: Hash, Fred (Josie)

Part of the SW ¼ of the SW ¼ of Section 33, Township 18 North, Range 30 West; beginning at a point 602 feet East of the Northwest corner of said 40 acre tract and running thence East 110 feet; thence South 783 feet; thence West 110 feet; thence North 783 feet to the point of beginning, containing 2 acres, more or less.

Tract 26: Hoff, Dan (Carol M.)

Part of the Southwest Quarter (SW ¼) of the Southwest Quarter (SW ¼) of Section 33, Township 18 North, Range 30 West, Washington County, Arkansas, being more particularly described as follows, to-wit: beginning at a point S 88°11' E 712 feet from the Northwest corner of said 40 acre tract, said point being on the centerline of the County Road; thence with said centerline S 88°11' E 100 feet; thence S 02°30' W 435.6 feet; thence N 88°11' W 100 feet; thence N 02°30' E 435.6 feet to the point of beginning containing one (1) acre, more or less.

Tract 27: M/M/S Associates, Inc. (Davis, Howard & Linda)

Elm Springs Deauncaxations

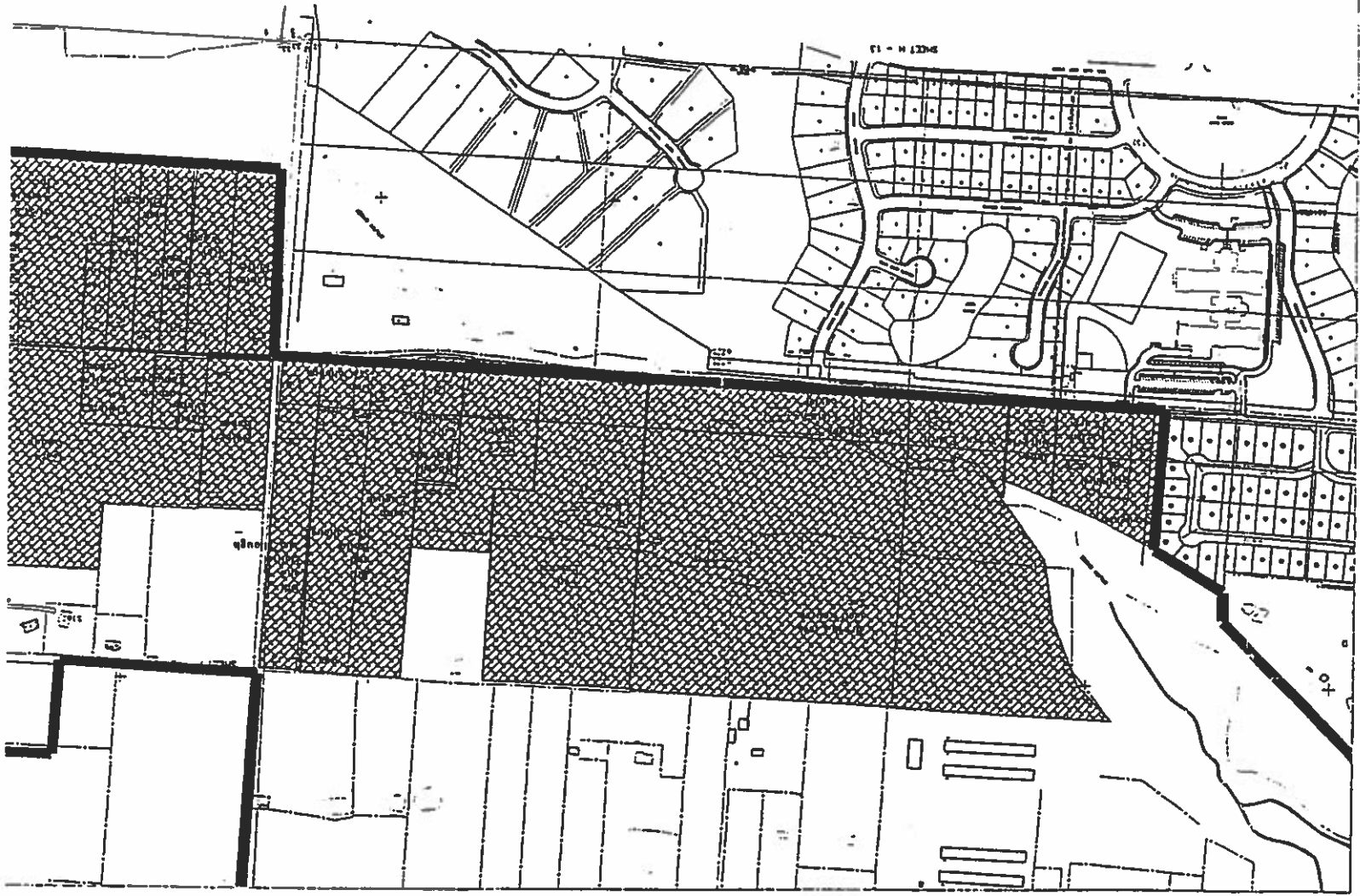
Part of the Southwest Quarter (SW ¼) of the Southwest Quarter (SW ¼) of Section 33, Township 18 North, Range 30 West, Washington County, Arkansas, being more particularly described as follows: Commencing at a found cotton picker spindle, accepted as the Northwest corner of the SW ¼ of said Section 33, thence S 88°18'27" E 812.00 feet to a set cotton picker spindle and the point of beginning; thence continue S 88°18'27" E 299 feet to a set cotton picker spindle; thence S 01°19'05" E 209.00 feet to a set 5/8" dia. iron pin; thence S 88°18'27" E 209.69 feet to a set 5/8" dia. iron pin; thence S 01°19'05" E 573.86 feet to a found ½" dia. iron pin; thence N 88°19'24" W 608.00 feet to a set 5/8" dia. iron pin; thence N 01°19'05" E 347.43 feet to a set 5/8" dia. iron pin; thence S 88°18'27" E 100.00 feet to a set 5/8" dia. iron pin; thence N 01°13'38" E 435.61 feet to the point of beginning, containing 8.92 acres, more or less.

Subject to easements, rights-of-way and protective covenants of record, if any.

Tract 28: Napier, Billie J. & Lillian T.

A part of the Southwest Quarter (SW ¼) of the Southwest Quarter (SW ¼) of Section 33, Township 18 North, Range 30 West, described as: Beginning at a point 40 feet West of the Northeast corner of said forty acre tract, and running thence West 169 feet, thence South 69 yards and 2 feet, thence East 169 feet, thence North 69 yards and 2 feet to the point of beginning, subject to roadway and easements of record.

SHADED AREAS TO BE ANNEXED INTO SPRINGDALE FROM ELM SPRING



ORDINANCE NO. 2003- 08

AN ORDINANCE ANNEXING CERTAIN LANDS
INTO THE CITY OF ELM SPRINGS,
WASHINGTON COUNTY, ARKANSAS.

WHEREAS, there was filed in the Circuit Court of Washington County, Arkansas, a Petition by Janie Ward seeking annexation of certain lands to the City of Elm Springs, Washington County, Arkansas; and

WHEREAS, said Petition was filed in said County Court on the 21 day of MAY, 2003; and

WHEREAS, on the 1 day of July, 2003, an Order was signed by the Judge of the County Court of Washington County, Arkansas, ordering the annexation of said lands to the City of Elm Springs, Arkansas; and

WHEREAS, a copy of said Order containing a full legal description of said lands is attached hereto and incorporated herein as if fully set out word for word.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF ELM SPRINGS, WASHINGTON COUNTY, ARKANSAS:

Section 1. That the City Council hereby accepts the following described lands into the City of Elm Springs:

PART OF THE SE1/4 OF THE SW1/4 OF SECTION 25, TOWNSHIP 18 NORTH, RANGE 31 WEST, WASHINGTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SAID SE1/4 OF THE SW1/4 OF SECTION 25; THENCE S87°25'59"E 116.91 FEET ALONG THE NORTH LINE OF SAID SE1/4 OF THE SW1/4 OF SECTION 25 TO A FOUND IRON PIN AND THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID NORTH LINE S87°25'59"E 1210.15 FEET TO A FOUND IRON PIN AT THE NORTHEAST CORNER OF SAID SE1/4 OF THE SW1/4 OF SECTION 25; THENCE S03°00'30"W 1315.21 FEET TO THE SOUTHEAST CORNER OF SAID SE1/4 OF THE SW1/4 OF SECTION 25; THENCE N87°42'07"W 1326.18 FEET TO THE SOUTHWEST CORNER OF SAID SE1/4 OF THE SW1/4 OF SECTION 25; THENCE N02°58'04"E 856.20 FEET; THENCE S87°26'10"E 227.88 FEET; THENCE N15°16'18"W 282.34 FEET TO A FOUND IRON PIN; THENCE N03°36'03"W 197.59 FEET TO THE POINT OF BEGINNING, CONTAINING 38.44 ACRES, MORE OR LESS. SUBJECT TO



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Recorded: 11/26/2003 at 12:15:37 PM
Fee Amt: \$11.00 Page 1 of 2
Washington County, AR
Bette Strubs Circuit Clerk

File# 2003-00060923

FILED
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KAREN JONES
CO. & PROBATE CLERK
WASHINGTON COUNTY, ARKANSAS

ANY EASEMENTS, COVENANTS OR RESTRICTIONS OF
RECORD OR FACT.

The common description of the property is: High Ridge Estates
Subdivision, Scott Lane, Elm Springs.

Section 2. That the Recorder/Treasurer is hereby directed to forward a copy of
this Ordinance to the Secretary of State along with one copy of the plat of said annexed
territory and one copy of the Order of the County Court, which is attached hereto and
incorporated herein by reference.

APPROVED this 18th day of August, 2003.

Jane Waters
Jane Waters, Mayor

Attest:

Yvonne Lettice
Recorder/Treasurer

PROOF OF POSTING OF ORDINANCE

STATE OF ARKANSAS

COUNTY OF Washington

We, Jane Waters and Glenda Patten do solemnly swear that as Mayor and City Clerk, respectively, of and for the City of Elm Springs, Washington County, Arkansas, that a certified copy of Ordinance No. 03-08 (the "Amendment Ordinance") was, on the 25 day of September, 2003, duly posted in five (5) separate and distinct places inside the corporate limits of the City in accordance with Ordinance No. 01-10, and that the Ordinance remained posted for thirty (30) days.

DATED this 25 day of September, 2003.

Jane Waters
Mayor

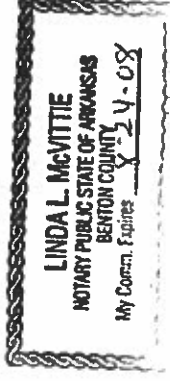
Glenda Patten
City Clerk

(SEAL)

SUBSCRIBED AND SWORN to before me, a Notary Public, on this 25th day of Sept, 2003.
"Linda L. McVittie
Notary Public

My Commission Expires:

8-24-08



FILED

FEB 2 PM 12:01

MARY L. SLINKARD
CO. & PROCLAMATE CLERK
BENTON COUNTY, ARK

ORDINANCE NO. 2003-10

AN ORDINANCE ANNEXING CERTAIN LANDS
INTO THE CITY OF ELM SPRINGS, BENTON
COUNTY, ARKANSAS

WHEREAS, there was filed in the County Court of Benton County, Arkansas, a Petition by Alan Holcomb seeking annexation of certain lands to the City of Elm Springs, Benton County, Arkansas; and

WHEREAS, said Petition was filed in said County Court on the 22nd day of May, 2003, and

WHEREAS, on the 3rd day of July, 2003, an Order was Signed by the Judge of the County Court of Benton County, Arkansas, ordering the annexation of said lands to the City of Elm Springs, Arkansas; and

WHEREAS, a copy of said Order containing a full legal description of said lands is attached hereto and incorporated herein as if fully set out word for word.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF ELM SPRINGS, BENTON COUNTY, ARKANSAS:

Section 1. That the City Council hereby accepted the following described lands into the City of Elm Springs:

Part of the South Half SE Corner of Section 24 Township 18 N Range 31 West, Benton County, Arkansas, described as beginning at the SW Corner SE SE Thence East 258' N 34°E150' N50°E555' W 1100" S W/ Highway 112 490' E433' to P.O.B.

Also described as Tax Parcel ID # 18-08630-000 in the Benton County Assessor's records.

The common description of the property is 14364 Highway 112 North, Elm Springs, AR 72728

AUG 12 PM 12:01

MARY L. SLINKARD
CLERK OF THE CLERK

Section 2. That the Recorder/Treasurer is hereby directed to forward a copy of this Ordinance to the Secretary of State along with one copy of the plat of said annexed territory and one copy of the Order of the County Court, which is attached hereto and incorporated by reference.

APPROVED this 18th Day of August, 2003

Jane Waters
Jane Waters, Mayor

Attest:

Glenda Pettus
Glenda Pettus, City Clerk

PROOF OF POSTING OF ORDINANCE

STATE OF ARKANSAS

COUNTY OF Washington

We, Jane Waters and Zenda Letters, do solemnly swear that as Mayor and City Clerk, respectively, of and for the City of Elm Springs, Washington County, Arkansas, that a certified copy of Ordinance No. 0310 (the "Wilson Ordinance") was, on the 25 day of September, 2003, duly posted in five (5) separate and distinct places inside the corporate limits of the City in accordance with Ordinance No. 01-10, and that the Ordinance remained posted for thirty (30) days.

DATED this 25 day of September, 2003.

Jane Waters
Mayor

Zenda Letters
City Clerk

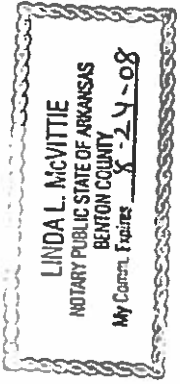
(SEAL)

SUBSCRIBED AND SWORN to before me, a Notary Public, on this 25th day of Sept, 2003.

Linda L. McVittie
Notary Public

My Commission Expires:

8-24-08



ORDINANCE NO. 2003- 16

AN ORDINANCE TO CONCUR IN THE CITY
OF SPRINGDALE, ARKANSAS, ORDINANCE NO. 3366,
DETACHING CERTAIN LANDS IN ELM SPRINGS, ARKANSAS,
AND ANNEXING THE LANDS TO SPRINGDALE, ARKANSAS

WHEREAS, the City of Elm Springs has held a public hearing on City of Springdale, Arkansas, Ordinance No. 3366, which detaches certain lands in Elm Springs, Arkansas, and annexes said lands to Springdale, Arkansas, and the City of Elm Springs hereby concurs in Ordinance No. 3366 proposed by the City of Springdale, Arkansas.


NOW THEREFORE, BE IT HEREBY ORDAINED by the City Council of the City of Elm Springs, Arkansas:

Section 1. That the City of Elm Springs hereby concurs in the detachment and annexation as set forth in Springdale Ordinance No. 3366, a copy of which is attached hereto.


Section 2. In the event any one or more of the provisions contained in this Ordinance shall for any reason be held by a Court of Law to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect the remaining provisions of this Ordinance, and this Ordinance shall be construed as if such invalid, illegal or unenforceable provision or provisions had never been contained herein.

PASSED AND APPROVED this 20th day of October, 2003.

APPROVED:


Jane Waters, Mayor, City of Elm Springs

ATTEST:


Glenda Pettus, City Clerk



Doc ID: 006730840002 Type: REL
Recorded: 11/26/2003 at 12:16:17 PM
Fee Amt: \$11.00 Page 1 of 4
Washington County, AR
Bette Stamps Circuit Clerk

File 2003-00060925

ORDINANCE NO. 3366

**AN ORDINANCE DETACHING CERTAIN LANDS IN
ELM SPRINGS, ARKANSAS AND ANNEXING THE
LANDS TO SPRINGDALE, ARKANSAS; AND FOR
OTHER PURPOSES.**

WHEREAS, the boundaries of the City of Elm Springs, Arkansas, and the City of Springdale, Arkansas are contiguous and adjoin one another;

WHEREAS, the City of Springdale, Arkansas desires to have the following described property detached from the City of Elm Springs, Arkansas, and annexed into the City of Springdale, Arkansas:

Part of the Southeast Quarter (SE ¼) of the Northwest Quarter (NW ¼) of Section Thirty-three (33), in Township Eighteen (18) North, Range Thirty (30) West, more particularly described as follows: From the Northeast corner of the SE ¼ of the NW ¼ of Section 33, Township 18 North, Range 30 West, proceed North 89 degrees 54' West 560.56 feet to the point of beginning, thence South 435.60 feet, thence North 89 degrees 54' West 100.00 feet, thence North 435.60 feet, thence South 89 degrees 54' East 100.00 feet to the point of beginning, and containing 1.00 acre, more or less, and being situated in Washington County, Arkansas.

WHEREAS, the City of Springdale, under the procedure set out in Ark. Code Ann. §14-40-2101, calls for the simultaneous detachment of the lands described above from the City of Elm Springs, Arkansas, and the annexation of said lands into the City of Springdale, Arkansas;

WHEREAS, the reasons for proposing such action to detach from Elm Springs, Arkansas and annex into Springdale, Arkansas, is to allow the property owner to be provided with additional municipal services;

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR
THE CITY OF SPRINGDALE, ARKANSAS:**

Section 1. The City of Springdale hereby calls for the simultaneous detachment of above described property from the City of Elm Springs, Arkansas, and the annexation of the said lands into the City of Springdale, Arkansas.

Section 2. This ordinance shall be referred to the City of Elm Springs, Arkansas, so that they may conduct a public hearing within 60 days to consider the ordinance and the Director of Planning and Community Development of the City of Springdale shall, at least 15 days prior to the date of the public hearing, publish a legal notice setting out the date, time and location of the hearing and a legal description of the lands proposed to be detached from Elm Springs and annexed into the City of Springdale.

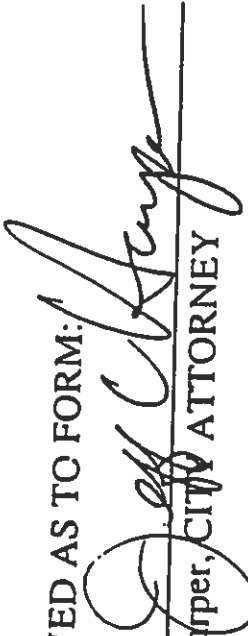
PASSED AND APPROVED this 26th day of August, 2003.


Jerre M. Van Hoose, MAYOR

ATTEST:


Denise Pearce, CITY CLERK

APPROVED AS TO FORM:


Jeff C. Harper, CITY ATTORNEY

PROOF OF POSTING OF ORDINANCE

STATE OF ARKANSAS

COUNTY OF Washington

We, Jane Whites and Glenda Petrus, do solemnly swear that as Mayor and City Clerk, respectively, of and for the City of Elm Springs, Washington County, Arkansas, that a certified copy of Ordinance No. 2003-16 (the DeAnnexing Ordinance) was, on the 31 day of October, 2003, duly posted in five (5) separate and distinct places inside the corporate limits of the City in accordance with Ordinance No. 010, and that the Ordinance remained posted for thirty (30) days.

DATED this 31 day of October, 2003.

Jane Whites
Mayor

Glenda Petrus
City Clerk

(SEAL)

SUBSCRIBED AND SWORN to before me, a Notary Public, on this 31 day of October, 2003.

C. Ray Adams
Notary Public

My Commission Expires:

08-01-12



FILED

FEB 2 PM 12:01

MARY L. SLIPKARD
CO. CLERK
BENTON COUNTY, ARK

ORDINANCE NO. 2003-13

AN ORDINANCE ANNEXING CERTAIN LANDS
INTO THE CITY OF ELM SPRINGS, BENTON
COUNTY, ARKANSAS

WHEREAS, there was filed in the County Court of Benton County, Arkansas, a Petition by Fadil Bayyari et al seeking annexation of certain lands to the City of Elm Springs, Benton County, Arkansas; and

WHEREAS, said Petition was filed in said County Court on the 15th day of July, 2003, and

WHEREAS, on the 28th day of October, 2003, an Order was Signed by the Judge of the County Court of Benton County, Arkansas, ordering the annexation of said lands to the City of Elm Springs, Arkansas; and

WHEREAS, a copy of said Order containing a full legal description of said lands is attached hereto and incorporated herein as if fully set out word for word.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF ELM SPRINGS, BENTON COUNTY, ARKANSAS:

Section 1. That the City Council hereby accepted the following described lands into the City of Elm Springs:

A PART OF THE NW1/4 OF THE SE1/4 AND A PART OF THE N1/2 OF THE SW1/4 OF THE SE1/4 AND A PART OF THE FRACTIONAL SW1/4 OF SECTION 19; T-18-N, R-30-W. DESCRIBED AS BEGINNING AT A COTTON SPINDLE AT THE NW CORNER OF SAID NW1/4 OF THE SE1/4; THENCE N89° 48'09"E 1324.74 FEET TO AN IRON PIN AT THE NE CORNER OF SAID NW1/4 OF THE SE1/4; THENCE S0° 14'01"W 1992.40 FEET TO A COTTON SPINDLE; THENCE S89° 58'35"W 1325.24 FEET; THENCE S0°14'55"W 662.80 FEET; THENCE S89° 43'34"W 1840.59 FEET; THENCE ALONG THE CENTERLINE OF THE OLD RAILROAD GRADE,

FILED

NOV 2 2 00 12 02

N20° 55' 38"E 1418.00 FEET; THENCE N89° 34' 32"E 1339.89 FEET; THENCE N0° 14' 55"E 1325.59 FEET TO THE POINT OF BEGINNING, CONTAINING 108.86 ACRES, MORE OR LESS, BENTON COUNTY, ARKANSAS. SAID TRACT SUBJECT TO THE RIGHT-OF-WAY OF CARRIE SMITH ROAD ON THE NORTH SIDE THEREOF AND THE RIGHT-OF-WAY OF BALL ROAD ON THE EAST SIDE THEREOF.

Also described as Tax Parcel ID #18-06204-000 in the County Assessor's records.

Section 2. That the Recorder/Treasurer is hereby directed to forward a copy of this Ordinance to the Secretary of State along with one copy of the plat of said annexed territory and one copy of the Order of the County Court, which is attached hereto and incorporated by reference.

APPROVED this 15th Day of December, 2003

Attest:

Glenda Pettus
Glenda Pettus, City Clerk

Jane Waters
Jane Waters, Mayor

PROOF OF POSTING OF ORDINANCE

STATE OF ARKANSAS

COUNTY OF Washington

We, Jane Waters and Glenn Lettard do solemnly swear that as Mayor and City Clerk, respectively, of and for the City of Elm Springs, Washington County, Arkansas, that a certified copy of Ordinance No. 2007-13 (the "Amex Carpenter, Ordinance") was, on the 24 day of November, 2007, duly posted in five (5) separate and distinct places inside the corporate limits of the City in accordance with Ordinance No. 0710, and that the Ordinance remained posted for thirty (30) days.

DATED this 24 day of November, 2007.

Jane Waters
Mayor

Glenn Lettard
City Clerk

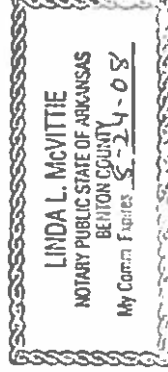
(SEAL)

SUBSCRIBED AND SWORN to before me, a Notary Public, on this 24th day of Nov, 2007.

Linda J. McVittie
Notary Public

My Commission Expires:

8-24-08



ORDINANCE NO. 2003- 14

AN ORDINANCE ANNEXING CERTAIN LANDS INTO
THE CITY OF ELM SPRINGS, WASHINGTON COUNTY,
ARKANSAS.

WHEREAS, there was filed in the Circuit Court of Washington County, Arkansas, a Petition by Karen Harp seeking annexation of certain lands to the City of Elm Springs, Washington County, Arkansas; and

WHEREAS, said Petition was filed in said County Court on the 21 day of May, 2003 and

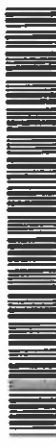
WHEREAS, on the 1 day of July, 2003, an Order was signed by the Judge of the County Court of Washington County, Arkansas, ordering the annexation of said lands to the City of Elm Springs, Arkansas; and

WHEREAS, a copy of said Order containing a full legal description of said lands is attached hereto and incorporated herein as if fully set out word for word.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF ELM SPRINGS, WASHINGTON COUNTY, ARKANSAS:

Section 1. That the City Council hereby accepts the following described lands into the City of Elm Springs:

Part of the Northwest Quarter (NW ¼) of the Northeast Quarter (NE ¼) of Section Twenty-six (26), Township Eighteen (18) North, Range Thirty-one (31) West, described as follows: Beginning at the Northeast corner of said forty acre tract, thence West 210 feet for a beginning corner of the lands herein conveyed, thence South 864 feet, thence West 208 feet, thence North 864 feet, thence East 208 feet to the point of beginning. ALSO: Part of the Northwest Quarter (NW ¼) of the Northeast Quarter (NE ¼) of Section Twenty-six (26), Township Eighteen (18) North, Range Thirty-one (31) West, described as follows: Beginning at a point 760 feet South of the Northeast corner of said forty acre tract for a beginning corner of the lands herein conveyed, thence West 210 feet, thence North 760 feet, thence East 210 feet, thence South 760 feet to the point of beginning. ALSO: Part of the Northwest Quarter (NW ¼) of the Northeast Quarter (NE ¼) of Section Twenty-six (26), Township Eighteen (18) North, Range Thirty-one (31) West, described as follows: Beginning at the Northeast corner of Floyd Anglin corner, thence North 35 yards, Thence West 70 yards, thence South 35 yards, thence East 70 yards to the place of beginning.



Doc ID: 006730830002 Type: REL
Recorded: 11/26/2003 at 12:16:09 PM
Fee Amt: \$11.00 Page 1 of 2
Washington County, AR
Bette Stamps Circuit Clerk

File # 2003-00060924

Section 2. That the Recorder/Treasurer is hereby directed to forward a copy of this Ordinance to the Secretary of State along with one copy of the plat of said annexed territory and one copy of the Order of the County Court, which is attached hereto and incorporated herein by reference.

APPROVED this 15th day of September, 2003.

Jane Waters
Jane Waters, Mayor

Attest:
Glenda Pettus
Glenda Pettus, City Clerk

PROOF OF POSTING OF ORDINANCE

STATE OF ARKANSAS

COUNTY OF Washington

We, Jane Waters and Glenn Peters, do solemnly swear that as Mayor and City Clerk, respectively, of and for the City of Elm Springs, Washington County, Arkansas, that a certified copy of Ordinance No. 2003-14 (the "Annexation Ordinance") was, on the 24 day of November, 2003, duly posted in five (5) separate and distinct places inside the corporate limits of the City in accordance with Ordinance No. 110, and that the Ordinance remained posted for thirty (30) days.

DATED this 24 day of November, 2003.

Jane Waters
Mayor

Glenn Peters
City Clerk

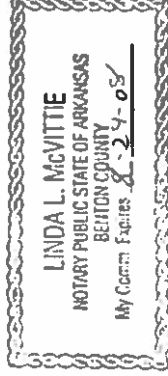
(SEAL)

SUBSCRIBED AND SWORN to before me, a Notary Public, on this 24 day of Nov, 2003 "

Linda L. McVittie
Notary Public

My Commission Expires:

8-24-08



ORDINANCE NO. 2004-07

CITY OF ELM SPRINGS, ARKANSAS

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

WHEREAS, it appears to the Council of the City of Elm Springs, Arkansas, that certain hereinafter-described territory contiguous to the City of Elm Springs is necessary for the orderly growth of the City; and

WHEREAS, the lands proposed to be annexed meet all of the legal requirements of Ark. Code Ann. §14-40-302; and

WHEREAS, the lands are needed for proper and orderly municipal growth, planning and development purposes; and

WHEREAS, in light of these factors the City Council has determined that it would be in the best interest of the City to annex said lands to the City.

NOW THEREFORE, BE IT ENACTED, by the City Council of the City of Elm Springs, as follows:

Section 1. There shall be submitted to the qualified electors of the City of Elm Springs and to the qualified electors within the below described territory the question of the annexation to the City of Elm Springs, Arkansas the following described territory, more particularly described as follows:

Sections 19 and 20 Township 18 North Range 30 West
Section 24 Township 18 North Range 31 West

Beginning at the SW corner of Section 20 Township 18 North Range 30 West, thence running East along section line to the SE corner of said Section; thence running North along the section line to the NE corner of said section; thence running West along the section line to the NW corner of Section 24 Township 18 North Range 31 West; thence South along section line to the SW corner of Section 24 Township 18 North Range 31 West; thence East to the Point of Beginning at the SW corner of Section 20 Township 18 North Range 30 West.

SEE EXHIBIT "A"

MAP ATTACHED HERETO AND INCORPORATED BY REFERENCE

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 June 29, 2004. The City Recorder shall immediately notify the Benton County Election Commission by forwarding a certified copy of this ordinance to them.

Section 3. If at such election a majority of the qualified electors voting in such election shall vote for such annexation, the City shall proceed to file a description and a map of the annexed area with the County Clerk of Benton County and with the Arkansas Secretary of State. The annexation shall be included within the corporate limits of the City of Elm Springs thirty (30) days following the filing of the description and a map with the Benton County Clerk, or in the event an action is filed with the Benton County 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. If the annexation is approved and becomes final, the following services shall be extended to the areas within three (3) years:

SERVICE

Fire Protection
Police Protection
Sewer

DATE

Immediately
Immediately
~~Immediately~~

Section 5. 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 6. It is hereby found and determined that certain hereinabove described territory contiguous to the City of Elm Springs is necessary for the property and orderly municipal growth, planning and development of the City, and that it would be in the best interest of the City to immediately annex said lands to the City. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation and protection of the public peace, health, safety and welfare of the City and its citizens, shall become effective on the date of its passage and approval by the Mayor.

PASSED AND APPROVED this 19 day of April, 2004.

APPROVED:

Jane Waters
Jane Waters, Mayor

ATTEST:

Glenda Pettus
Glenda Pettus, City Clerk

(SEAL)

PROOF OF POSTING OF ORDINANCE

STATE OF ARKANSAS

COUNTY OF Washington

We, Jane Waters and Glenda Fetter, do solemnly swear that as Mayor and City Clerk, respectively, of and for the City of Elm Springs, Washington County, Arkansas, that a certified copy of Ordinance No. 2004-07 (the "Noting & Submitting Annexation Ordinance") was, on the 5-3-04 day of May, 2004, duly posted in five (5) separate and distinct places inside the corporate limits of the City in accordance with Ordinance No. 01-10 and that the Ordinance remained posted for thirty (30) days.

DATED this 3rd day of May, 2004.

Jane Waters
Mayor

Glenda Fetter
City Clerk

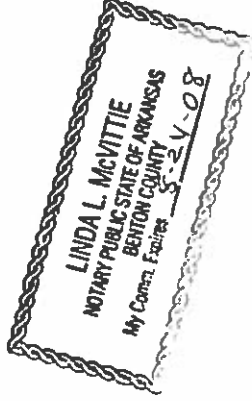
(SEAL)

SUBSCRIBED AND SWORN to before me, a Notary Public, on this 3rd
Day of May, 2004.

Linda L. McVittie
Notary Public

My Commission Expires:

8-24-08



ORDINANCE NO. 2005-01

**AN ORDINANCE ANNEXING CERTAIN LANDS INTO
THE CITY OF ELM SPRINGS, WASHINGTON COUNTY,
ARKANSAS.**

WHEREAS, there was filed in the Circuit Court of Washington County, Arkansas, a Petition by Gary Lee & Linda Kay Downum seeking annexation of certain lands to the City of Elm Springs, Washington County, Arkansas; and

WHEREAS, said Petition was filed in said County Court on the 23 day of November 2004 and

WHEREAS, on the 3 day of January 2005, an Order was signed by the Judge of the County Court of Washington County, Arkansas, ordering the annexation of said lands is attached hereto and incorporated herein as if fully set out word for word.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE
CITY OF ELM SPRINGS, WASHINGTON COUNTY, ARKANSAS:**

Section 1. That the City Council hereby accepts the following described lands into the City of Elm Springs:

In Washington County, Arkansas, Part of the East Half NW ¼ NW ¼ SE ¼ S 26 T-18-N, R-31-W more particularly described as beginning at the SE corner of NW ¼ SE ¼ of said Section 26, thence South 89° 45' 58" West - 660.32 feet, thence North 0°07' 56" West - 1262.42 feet, thence North 89° 45' 58" East - 639.82 feet, thence South 0°09' 17" East - 1262.41 feet to POB, containing 19.06 acres more or less

AND

The NE ¼ of SE ¼ S 26 T-18-N R-31-W containing 40 acres in Washington County, Arkansas

Also described as Tax Parcel ID #'s 001-19162-001 and 001-19191-000 in the Washington County Assessor's records.

Section 2. That the Recorder/Treasurer is hereby directed to forward a copy of this Ordinance to the Secretary of State along with one copy of the plat of said annexed territory and one copy of the Order of the County Court, which is attached hereto and incorporated herein by reference.

APPROVED this 17 day of January, 2005.

Jane Waters
Jane Waters, Mayor

Attest:
Glenda Pettus
Glenda Pettus, City Clerk

PROOF OF POSTING OF ORDINANCE

STATE OF ARKANSAS

COUNTY OF Washington

We, Jane Waters and Glenda Lettuo, do solemnly swear that as Mayor and City Clerk, respectively, of and for the City of Elm Springs, Washington County, Arkansas, that a certified copy of Ordinance No. 05-01 (the "Downtown Lanarkian Ordinance") was, on the 20th day of January, 2005, duly posted in five (5) separate and distinct places inside the corporate limits of the City in accordance with Ordinance No. 01-10 and that the Ordinance remained posted for thirty (30) days.

DATED this 20th day of January, 2005.

Jane Waters
Mayor

Glenda Lettuo
City Clerk

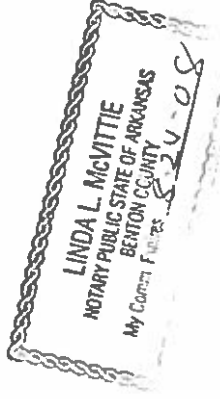
(SEAL)

SUBSCRIBED AND SWORN to before me, a Notary Public, on this 20th
Day of January, 2005.

Linda L. McVittie
Notary Public

My Commission Expires:

8-24-08



ORDINANCE NO. 2006- 07

CITY OF ELM SPRINGS, WASHINGTON COUNTY & BENTON COUNTY,
ARKANSAS

AN ORDINANCE ACCEPTING THE ANNEXATION OF
CERTAIN TERRITORY TO THE CITY OF ELM SPRINGS,
ARKANSAS, AND MAKING SAME A PART OF THE CITY OF
ELM SPRINGS, AND ASSIGNING SAME TO WARDS.

WHEREAS, petition was filed with the County Clerk of Washington County, Arkansas, by the majority of the real estate owners of the hereinafter described territory praying that said territory be annexed to, and made a part of the City of Elm Springs, Arkansas; and,

WHEREAS on the 5th day of June, 2006, the County Court of Washington County, Arkansas, found that the petition was signed by a majority of the real estate owners in said territory; that said territory was contiguous and adjoining the present corporate limits of the City of Elm Springs, Arkansas; that an accurate plat or map of said territory had been filed with and made a part of said petition; that proper notice had been given for the time and in the manner prescribed by law, and that all things pertaining thereto had been done in the manner prescribed by law, and that said lands and territory should be annexed to and made a part of the City of Elm Springs, Arkansas, subject to the acceptance of same by the City Council of said City at the proper time, as provided by law; and

WHEREAS, the time fixed by law for appealing from said order of annexation made by the County Court has expired and no appeal has been taken from said order.

NOW THEREFORE, BE IT ENACTED, by the City Council of the City of Elm Springs, as follows:

Section 1. That the following described lands and territory contiguous and adjoining the City of Elm Springs, Arkansas, be and the same is hereby accepted as part of and annexed to and made a part of the City of Elm Springs.

A part of the Southeast Quarter (SE ¼) of the Northwest Quarter (NW ¼) and Part of the Northeast Quarter (NE ¼) of the Southwest Quarter (SW ¼) of Section Twenty-six (26) in Township Eighteen (18) North of Range Thirty-one (31) West, described as follows:

Beginning at a point where the East line of said first mentioned forty acre Tract intersects the center line of the Elm Springs-Siloam Springs public Road. and running thence South 1102 feet to a point on the South bank of Brush Creek; thence South 88° 30' West with said South bank of said creek 306 feet; thence South 75° 15' West with the

South bank of said creek 204 feet; thence North 12° 30' West 930 feet to a point in the center of said Elm Springs-Siloam Springs Road; thence with the center line of said road in a Northeasterly direction 765 feet, more or less, to the place of beginning, containing 15 acres, more or less, and being in Washington County, Arkansas

Also described as Tax Parcel ID #001-19185-000 in the County Assessor's records.

Section 2. That the above described territory shall be annexed to and made a part of Ward 1 of the City of Elm Springs, and the same shall henceforth be a part of said ward as fully as existing parts of said ward.

PASSED AND APPROVED this 17 day of July, 2006.

APPROVED:

Jane Waters
Jane Waters, Mayor

Attest:

Glenda Pettus
Glenda Pettus, City Clerk

PROOF OF POSTING OF ORDINANCE

STATE OF ARKANSAS

COUNTY OF Washington

We, Jane Waters and Blenda Lettun, do solemnly swear that as Mayor and City Clerk, respectively, of and for the City of Elm Springs, Washington County, Arkansas that a certified copy of Ordinance No. 2006-07 (the "Annexation of West School Property Ordinance") was, on the 31 day of July, 2006, duly posted in five (5) separate and distinct places inside the corporate limits of the City in accordance with Ordinance No. 01-10 and that the Ordinance remained posted for thirty (30) days.

DATED this 31 day of July, 2006.

Jane Waters
Mayor

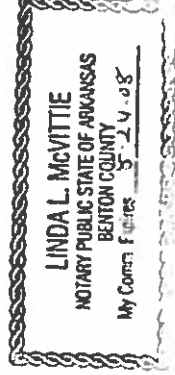
Blenda Lettun
City Clerk

(SEAL)

SUBSCRIBED AND SWORN to before me, a Notary Public, on this 31 Day of JULY, 2006.

Linda L. McVittie
Notary Public

My Commission Expires: 8-24-08



ORDINANCE NO. 2008-10

**CITY OF ELM SPRINGS, WASHINGTON COUNTY & BENTON COUNTY,
ARKANSAS**

AN ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN TERRITORY, KNOWN AS THE BILL LUNDY PROPERTY, TO THE CITY OF ELM SPRINGS, ARKANSAS, AND MAKING SAME A PART OF THE CITY OF ELM SPRINGS, AND ASSIGNING SAME TO WARDS.

WHEREAS, a petition was filed with the County Clerk of Washington County, Arkansas, by the majority of the real estate owners of the hereinafter described territory praying that said territory be annexed to, and made a part of the City of Elm Springs, Arkansas; and,

WHEREAS on the 17th day of March, 2008, the County Court of Washington County, Arkansas found that the petition was signed by a majority of the real estate owners in said territory; that said territory was contiguous and adjoining the present corporate limits of the City of Elm Springs, Arkansas; that an accurate plat or map of said territory had been filed with and made a part of said petition; that proper notice had been given for the time and in the manner prescribed by law, and that all things pertaining thereto had been done in the manner prescribed by law, and that said lands and territory should be annexed to and made a part of the City of Elm Springs, Arkansas, subject to the acceptance of same by the City Council of said City at the proper time, as provided by law; and

WHEREAS, the time fixed by law for appealing from said order of annexation made by the County Court has expired and no appeal has been taken from said order.

NOW THEREFORE, BE IT ENACTED, by the City Council of the City of Elm Springs, as follows:

Section 1. That the following described lands, commonly known as the Bill Lundy Property, and territory contiguous and adjoining the City of Elm Springs, Arkansas, be and the same is hereby accepted as part of and annexed to and made a part of the City of Elm Springs.

Part of the SE 1/4 of the SW 1/4 of Section 25 Township 18 North Range 31 West, Washington County, Arkansas and more particularly described as follows: Beginning at the NW Corner of said SE 1/4 of the SW 1/4, thence; South 2° 58' 4" West, 462.33'; Thence South 87° 26' 11" East, 227.88'; Thence North 15° 16' 19" West, 282.34'; Thence North 3° 36' 3" West, 197.59'; Thence North 87° 25' 59" West, 116.91' to the point of beginning.

Section 2. That the above described territory shall be annexed to and made a part of Ward / of the City of Elm Springs, and the same shall henceforth be a part of said ward as fully as existing parts of said ward.

PASSED AND APPROVED this 19 day of May, 2008.

APPROVED:

Jane Waters
Jane Waters, Mayor

Attest:
Glenda Petrus
Glenda Petrus, City Clerk

PROOF OF POSTING OF ORDINANCE

STATE OF ARKANSAS

COUNTY OF Washington

We Jane Waters and Glenda Lettrio, do solemnly swear that as Mayor and City Clerk, respectively, of and for the City of Elm Springs, Washington County, Arkansas that a certified copy of Ordinance No. 2008-10 (the "Amey Dell Study Ordinance") was, on the 23 day of May, 2008, duly posted in five (5) separate and distinct places inside the corporate limits of the City in accordance with Ordinance No. 01-10 and that the Ordinance remained posted for thirty (30) days.

DATED this 23 day of May, 2008.

Jane Waters
Mayor

Glenda Lettrio
City Clerk

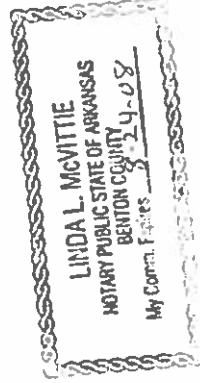
(SEAL)

SUBSCRIBED AND SWORN to before me, a Notary Public, on this 23 Day of May, 2008.

Linda L. McVittie
Notary Public

My Commission Expires:

8-24-08



ORDINANCE NO. 2010-06

CITY OF ELM SPRINGS, ARKANSAS

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

WHEREAS, it appears to the Council of the City of Elm Springs, Arkansas, that certain hereinafter-described territory contiguous to the City of Elm Springs is necessary for the orderly growth of the City; and

WHEREAS, the lands proposed to be annexed meet all of the legal requirements of Ark. Code Ann. §14-40-302; and

WHEREAS, the lands are needed for proper and orderly municipal growth, planning and development purposes; and

WHEREAS, in light of these factors the City Council has determined that it would be in the best interest of the City to annex said lands to the City.

NOW THEREFORE, BE IT ENACTED, by the City Council of the City of Elm Springs, as follows:

Section 1. There shall be submitted to the qualified electors of the City of Elm Springs and to the qualified electors within the below described territory the question of the annexation to the City of Elm Springs, Arkansas the following described territory, more particularly described as follows:.

SEE EXHIBIT "A"

MAP ATTACHED HERETO AND INCORPORATED BY REFERENCE

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 2, 2010. The City Recorder shall immediately notify the Washington County Election Commission by forwarding a certified copy of this ordinance to them.

Section 3. If at such election a majority of the qualified electors voting in such election shall vote for such annexation, the City shall proceed to file a description and a map of the annexed area with the County Clerk of Washington County and with the Arkansas Secretary of State. The annexation shall be included within the corporate limits of the City of Elm Springs thirty (30) days following the filing of the description and a map with the Washington County Clerk, or in the event an action is filed with the Washington County 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. If the annexation is approved and becomes final, the following services shall be extended to the areas within three (3) years:

<u>SERVICE</u>	<u>DATE</u>
Fire Protection	Immediately
Police Protection	Immediately
Sewer	3 years

Section 5. 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. 2010-__.
- AGAINST ANNEXATION of the territory described in Ordinance No. 2010-__.

Section 6. It is hereby found and determined that certain hereinabove described territory contiguous to the City of Elm Springs is necessary for the property and orderly municipal growth, planning and development of the City, and that it would be in the best interest of the City to immediately annex said lands to the City. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation and protection of the public peace, health, safety and welfare of the City and its citizens, shall become effective on the date of its passage and approval by the Mayor.

PASSED AND APPROVED this 2 day of August, 2010.

APPROVED:

Jane Waters
Jane Waters, Mayor

ATTEST:

Glenda Pettus
Glenda Pettus, City Clerk

(SEAL)

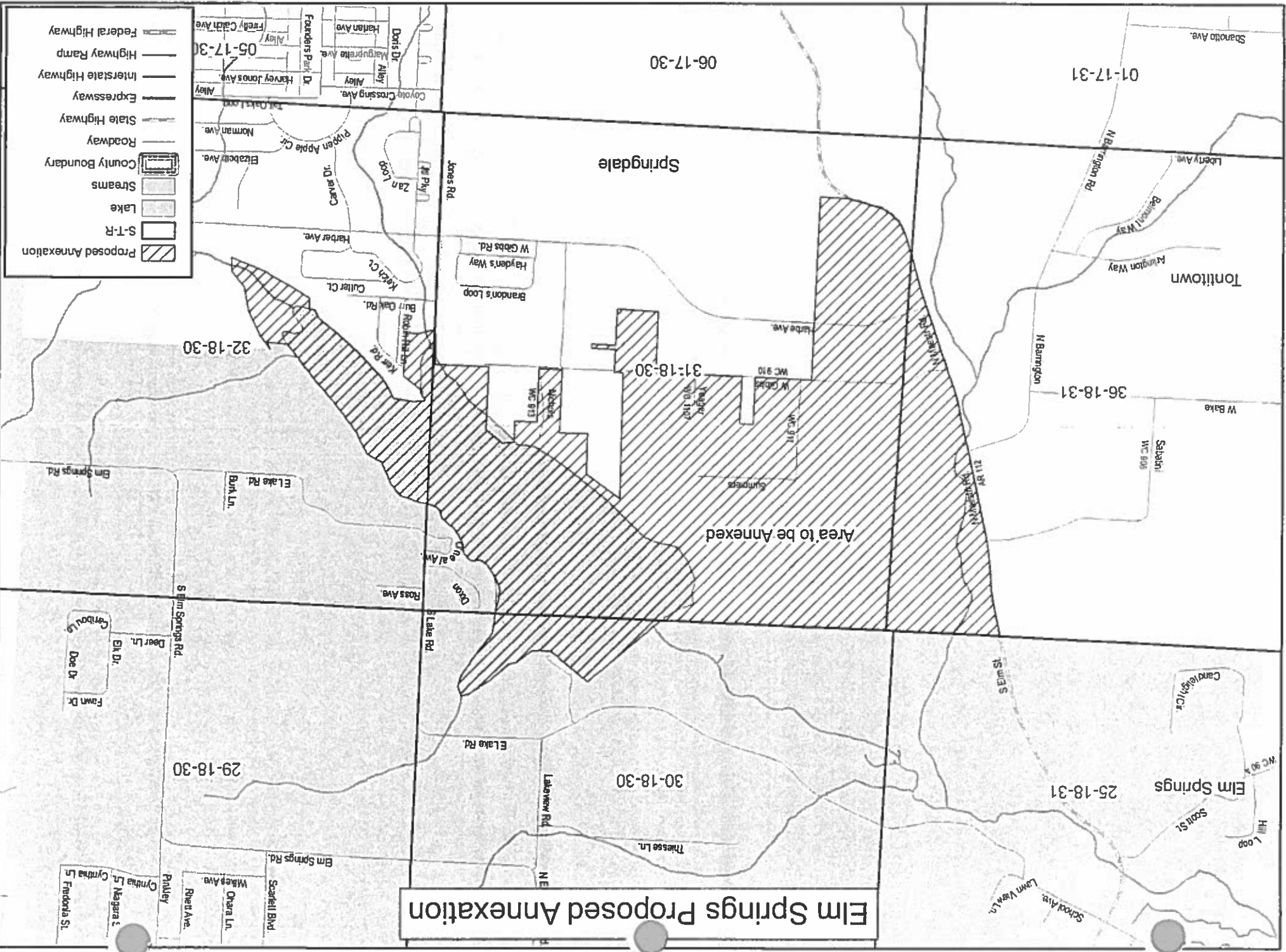
Exhibit "A"

Legal Description of lands to be annexed by election

All unincorporated area in: S30, T18N, R30W; S31, T18N, R30W; S32, T18N, R30W; and S36, T18N, R31W.

A map depicting these areas is on file for public review at City Hall, and shall be filed as required by law.

Elm Springs Proposed Annexation



NOTICE OF SPECIAL ELECTION

Notice is hereby given that a Special Election will be held in the City of Elm Springs, Arkansas (the "City") on November 2, 2010, at which there will be submitted to the qualified electors the question of annexation of said territory to the City of Elm Springs. The territory proposed to be annexed is more particularly described as follows, to-wit:

The Elm Springs City Council has determined that the lands proposed to be annexed meet all of the legal requirements of Arkansas law and are needed for proper and orderly municipal growth, planning and development purposes.

Only the qualified electors of the City of Elm Springs and the qualified electors within the above-described territory will have the right to vote, and the electors may vote either for or against the annexation of the above-described lands to the City.

The election will be held between the hours of 7:30 o'clock a.m. and 7:30 o'clock p.m., on November 2, 2010, at the following polling place in Washington County, to-wit:

Elm Springs Community Center
289 Jayroe Ave.
Elm Springs, Arkansas 72728

GIVEN this 2 day of August, 2010.



Glenda Pettus, Clerk for the City of
Elm Springs, Arkansas

PROOF OF POSTING OF ORDINANCE

STATE OF ARKANSAS

COUNTY OF Washington

We, Jane Waters and Glenda Peters, do solemnly swear that as Mayor and City Clerk, respectively, of and for the City of Elm Springs, Washington County, Arkansas that a certified copy of Ordinance No. 2010-06 (the "Annexation" Ordinance") was, on the 30 day of August, 2010, duly posted in five (5) separate and distinct places inside the corporate limits of the City in accordance with Ordinance No. 01-10 and that the Ordinance remained posted for thirty (30) days.

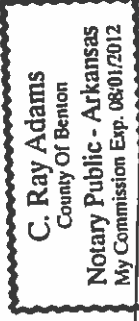
DATED this 30 day of August, 2010.

Jane Waters
Mayor

Glenda Peters
City Clerk

(SEAL)

SUBSCRIBED AND SWORN to before me, a Notary Public, on this 30th Day of August, 2010.



Notary Public
C. Ray Adams

My Commission Expires:

08/01/2012

WASHINGTON COUNTY ELECTION COMMISSION
CERTIFICATE OF ELECTION
GENERAL ELECTION AND NONPARTISAN JUDICIAL RUN-OFF

NOVEMBER 2, 2010

STATE OF ARKANSAS)
COUNTY OF WASHINGTON)

We, the duly commissioned and acting Election Commission of Washington County, Arkansas, do hereby certify that the following is a true and correct abstract of votes cast in the General Election, held in Washington County, Arkansas on the 2nd day of November, 2010, and the results are as follows:

U.S. SENATOR

CONGRESSMAN JOHN BOOZMAN	27,972
U.S. SENATOR BLANCHE LAMBERT LINCOLN	15,030
JOHN LANEY GRAY, III	1,158
TREVOR DROWN	796
WRITE-IN (STEPHAN "TROUBLEMAKER" HERCHER)	4

U.S. CONGRESS DIST. 3

MAYOR STEVE WOMACK
DAVID WHITAKER

GOVERNOR

JIM LENDALL	1,080
GOVERNOR MIKE BEEBE	26,987
JIM KEET	16,585
WRITE-IN (DAVID E. DINWIDDIE)	0
WRITE-IN (BILLY ROPER)	0

LIEUTENANT GOVERNOR

SENATOR SHANE BROADWAY
MARK DARR

SECRETARY OF STATE

COUNTY CLERK PAT O'BRIEN	18,891
REP. MARK MARTIN	24,990

STATE TREASURER

BOBBY TULLIS	13,759
STATE TREASURER MARTHA SHOFFNER	26,534

AUDITOR OF STATE

CHARLIE DANIELS	27,960
MARY HUGHES-WILLIS	12,841

ATTORNEY GENERAL

REBEKAH KENNEDY	12,096
ATTORNEY GENERAL DUSTIN MCDANIEL	28,132
WRITE-IN (MARC ROSSON)	220

2010 NOV 16 AM 10:00

CITY OF ELM SPRINGS

MAYOR

RANDY LOTT
BEN WALL

201
260

ORDINANCE NO. 2010-03

FOR
AGAINST

211
307

ORDINANCE NO. 2010-05

FOR
AGAINST

251
255

ORDINANCE NO. 2010-06

FOR
AGAINST

331
183

CITY OF FARMINGTON

MAYOR

MAYOR ERNIE L. PENN
(UNOPPOSED)

1,212

CITY ATTORNEY

STEVE TENNANT
MIKE DUNAGAN

847
513

ALDERMAN WARD 1 POSITION 1

ROBERT L. MANN
SHERRY MATHEWS

532
647

ALDERMAN WARD 3 POSITION 2

JIMMY THOMAS
JEAN SWIFT
SHELLY PARSLEY

415
394
407

CITY OF FAYETTEVILLE

ALDERMAN WARD 2 POS. 1

MARK KINION
ADAM FIRE CAT

2,093
641

ALDERMAN WARD 4 POS. 1

JEFF DICKEY
RHONDA ADAMS

1,347
2,199

IN THE COUNTY COURT OF WASHINGTON COUNTY, ARKANSAS

IN THE MATTER OF THE ANNEXATION
OF CERTAIN REAL PROPERTY TO THE
CITY OF ELM SPRINGS, ARKANSAS

Case No. 2010- 4

PETITION FOR ANNEXATION

Come the Petitioner, by Mr. Craig Hull, and for their Petition to the Court, state:

1. Petitioner herein constitute a majority of the real estate owners, as such, defined in Arkansas Statutes, owning more than one half (1/2) of the certain tract lying in Washington County, Arkansas contiguous to and the municipal limits of the City of Elm Springs Arkansas. Said real property fully and accurately described on the map attached herewith as Exhibit A description attached as Exhibit B and is fully incorporated herein by reference.

2. Petitioners state that it would be in the best interest of a majority of the property owners herein identified and the City of Elm Springs, Arkansas for the County Court of Washington County, Arkansas to enter an Order approving and confirming annexation of the herein described property to the City of Elm Springs, Arkansas.

3. Petitioners hereby designate Mr. Craig Hull to act for and in behalf of Petitioners in all proceedings before this Court.

WHEREFORE, Petitioners respectfully petition the County Court of Washington County, Arkansas to approve and confirm the annexation to the City of Elm Springs, Arkansas of certain property, more specifically described in Exhibit A & Exhibit B herewith and fully incorporated herein and made a part hereof by reference, after proper public notice of hearing has been published and hearing has been conducted as required by law; and for all other proper Orders from this Court in which they may be entitled.

For Petitioners

By: Craig Hull
Craig Hull

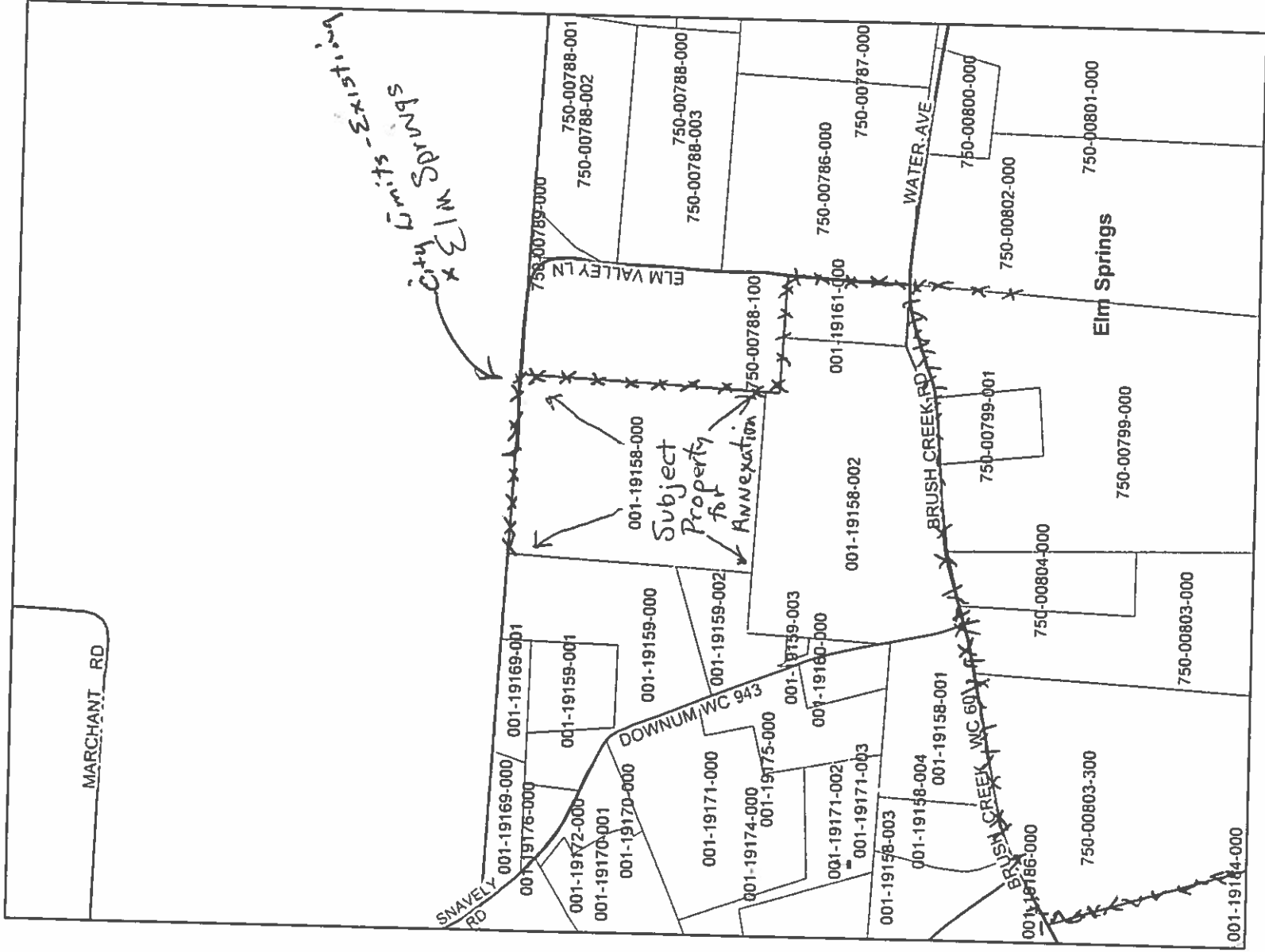
FILED
2010 MAY 17 PM 2:15
KARL is
CO. is
WASHINGTON COUNTY
SHINGT
in a
PROB
COURT
RITCHARD
CRAIG HULL

Exhibit "A"

[legal description]

PART OF THE NORTHWEST QUARTER (NW ¼) OF THE NORTHEAST QUARTER (NE ¼), OF SECTION 26, TOWNSHIP 18 NORTH, RANGE 31 WEST OF THE FIFTH PRINCIPAL MERIDIAN WASHINGTON COUNTY, ARKANSAS, SAID BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A SET 5/8 INCH DIAMETER IRON PIN, SAID PIN USED AS THE SOUTHEAST CORNER OF THE NW ¼ OF SAID NE ¼; THENCE SOUTH 89 DEGREES 40 MINUTES 45 SECONDS WEST A DISTANCE OF 210 FEET TO A SET 5/8 INCH DIAMETER IRON PIN; THENCE NORTH 00 DEGREES 25 MINUTES 25 SECONDS WEST A DISTANCE OF 442.65 FEET TO A SET 5/8 INCH DIAMETER IRON PIN; THENCE NORTH 89 DEGREES 54 MINUTES 53 SECONDS WEST A DISTANCE OF 208.00 FEET TO A SET 5/8 INCH DIAMETER IRON PIN AND THE POINT OF BEGINNING OF TRACT 4 (P. O. B. TRACT 4); THENCE NORTH 86 DEGREES 59 MINUTES 33 SECONDS WEST A DISTANCE OF 588.03 FEET TO A SET 5/8 INCH DIAMETER IRON PIN; THENCE NORTH 00 DEGREES 12 MINUTES 56 SECONDS WEST A DISTANCE OF 838.00 FEET THE NORTH LINE OF THE NW ¼ OF SAID NE ¼ AND A SET 5/8 INCH DIAMETER IRON PIN; THENCE ALONG SAID NORTH LINE SOUTH 89 DEGREES 54 MINUTES 53 SECONDS EAST A DISTANCE OF 583.94 FEET TO A SET 5/8 INCH DIAMETER IRON PIN; THENCE SOUTH 00 DEGREES 25 MINUTES 28 SECONDS EAST A DISTANCE OF 868.00 FEET TO THE POINT OF BEGINNING OF TRACT 4, CONTAINING 11.46 ACRES, MORE OR LESS, AND BEING SUBJECT TO THE RIGHT OF WAY OF WASHINGTON COUNTY ROAD #943 ALONG THE NORTH BOUNDARY THEREOF.



City Limits - Existing
Elm Springs

Subject Property for Annexation

County Disclaimer

This map was created by Washington County using data created or acquired by its Assessor's office, Dept. of Emergency Management, and Road Department and in accordance with Arkansas Code 15.21-502 (2) (B), which states "The digital cadastre manages and provides access to cadastral information. Digital cadastre does not represent legal property boundary descriptions nor is it suitable for boundary determination of the individual parcels included in the cadastre" and Arkansas Code 15.21-502 (6) which indicates that "Digital cadastre" means the storage and manipulation of computerized representations of parcel maps and linked databases."

This map has been developed from the best available sources. No guarantee of accuracy is granted, nor is any responsibility for reliance thereon assumed. In no event shall said Washington County be liable for direct, indirect, incidental, consequential or special damages of any kind, including, but not limited to, loss of anticipated profits or benefits arising out of use of or reliance on the map.

The parcel lines shown are considered a graphical representation of the actual boundaries. Washington County is in no way responsible for or liable for any misrepresentation or re-use of this map. Distribution of this map is intended for informational purposes and should not be considered authoritative for engineering, legal and other site-specific uses.

Trimble Annexation

Parcel Owner:
TRIMBLE, PETE

Owner Address:
13614 TRAILS END RD
SPRINGDALE

Est. Market Value:
\$101,000.00



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powered by: DataScout Pro

ORDINANCE NO. 2010-07

**CITY OF ELM SPRINGS, WASHINGTON COUNTY & BENTON COUNTY,
ARKANSAS**

**AN ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN
TERRITORY, KNOWN AS THE TRIMBLE PROPERTY, TO THE
CITY OF ELM SPRINGS, ARKANSAS, AND MAKING SAME A
PART OF THE CITY OF ELM SPRINGS, ASSIGNING SAME A
WARDS AND DESIGNATING THE ZONING FOR THE ANNEXED
PROPERTY.**

WHEREAS, a petition was filed with the County Clerk of Washington County, Arkansas, by the majority of the real estate owners of the hereinafter described territory praying that said territory be annexed to, and made a part of the City of Elm Springs, Arkansas; and,

WHEREAS on the 24th day of June, 2010, a hearing was held at the County Court for Washington County, thereafter, after the prescribed time, the County Court of Washington County, Arkansas found that the petition was signed by a majority of the real estate owners in said territory; that said territory was contiguous and adjoining the present corporate limits of the City of Elm Springs, Arkansas; that an accurate plat or map of said territory had been filed with and made a part of said petition; that proper notice had been given for the time and in the manner prescribed by law, and that all things pertaining thereto had been done in the manner prescribed by law, and that said lands and territory should be annexed to and made a part of the City of Elm Springs, Arkansas, subject to the acceptance of same by the City Council of said City at the proper time, as provided by law; and

WHEREAS, the time fixed by law for appealing from said order of annexation made by the County Court has expired and no appeal has been taken from said order.

WHEREAS, on the 13th day of September, 2010, duly noticed hearings were held before the Elm Springs Planning Commission to determine under whether the Trimble Property should be accepted for annexation, and if so, what zone the Trimble Property should be zoned. After the public hearings, the Planning Commission recommended the Trimble property be accepted, and should be zoned Agricultural, except for the one acre tract on which a shop is located, which should be zoned Commercial.

NOW THEREFORE, BE IT ENACTED, by the City Council of the City of Elm Springs, as follows:

Section 1. That the following described lands, described in EXHIBIT A to this Ordinance, commonly known as the Trimble Property, and territory contiguous and adjoining the City of Elm Springs, Arkansas, be and the same is hereby accepted as part of

of and annexed to and made a part of the City of Elm Springs.

Section 2. That the territory described in EXHIBIT A shall be annexed to and made a part of Ward of the City of Elm Springs, and the same shall henceforth be a part of said ward as fully as existing parts of said ward.

Section 3. ZONING. The territory described in EXHIBIT A shall be zoned Agricultural, except for that part, described as "one acre" on which a metal shop is located, as shown in EXHIBIT A, which shall be zoned Commercial. The City of Elm Springs Zoning Map shall be changed as soon as is practicable to reflect this annexation and these zoning designations.

PASSED AND APPROVED this 20 day of September 2010.

APPROVED:

Attest:

Glenda Pettus
Glenda Pettus, City Clerk

Jane Waters
Jane Waters, Mayor

ORDINANCE NO. 2015-01

CITY OF ELM SPRINGS, ARKANSAS

AN ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN TERRITORY, KNOWN AS THE O'BARR PROPERTY, TO THE CITY OF ELM SPRINGS, ARKANSAS, AND MAKING SAME A PART OF THE CITY OF ELM SPRINGS, ASSIGNING SAME TO WARDS AND DESIGNATING THE ZONING FOR THE ANNEXED PROPERTY.

WHEREAS, the property belonging to the O'Barrs is located in Springdale, Arkansas, and the owners wish to develop it. A request for services was made upon the City of Springdale, which responded, through its City Attorney, that Springdale did not intend to provide services to the property and that the owner should proceed to be annexed by the City of Elm Springs, which borders the property; and that said territory be annexed to, and made a part of the City of Elm Springs, Arkansas; and,

WHEREAS, the Planning Commission has recommend acceptance of the property for annexation and the Mayor of Elm Springs has committed to providing the requested services to the O'barr property and has recommended that Elm Springs annex the property.

THEREFORE, BE IT ORDAINED:

Section 1. That the following described lands, described in EXHIBIT A to this Ordinance, commonly known as the O'Barr Property, and territory contiguous and adjoining the City of Elm Springs, Arkansas, be and the same is hereby accepted as part of and annexed to and made a part of the City of Elm Springs.

Section 2. That the territory described in EXHIBIT A shall be annexed to and made a part of Ward 3 of the City of Elm Springs, and the same shall henceforth be a part of said ward as fully as existing parts of said ward.

Section 3. ZONING. The territory described in EXHIBIT A shall be zoned RA. The City of Elm Springs Zoning Map shall be changed as soon as is practicable to reflect this annexation and these zoning designations.

PASSED AND APPROVED this 19 day of January, 2015.

APPROVED:



Harold Douthit, Mayor

Attest:


Glenda Pettus, City Clerk

EXHIBIT "A"

A part of the North Half (N 1/2) of the Northeast Quarter (NE 1/4) of the Northeast Quarter (NE 1/4) of Section Twenty-nine (29), Township Eighteen (18) North, Range Thirty (30) West, Washington County, Arkansas, being more particularly described as follows: Commencing at the Northeast Corner of said 40 acre tract, said point being an existing iron rebar; thence N 88°52'30" W 792.87 feet along the North line of said 40 acre tract to a set 1/2" iron rebar for the true Point of Beginning; thence N 88°52'40" W 197.51 feet to an existing iron rebar in the pavement of West County Line Road; thence S 00°12'11" W 661.69 feet to an existing iron rebar; thence S 88°56'25" E 197.51 feet to a set 1/2" iron rebar; thence N 00°12'11" E 661.59 feet to the Point of Beginning, containing 3.00 acres, more or less. The above described 3.00 acre tract being subject to a 25 foot right of way of West County Line Road along the entire North boundary and any other easements and/or rights of way whether or not of record.

Subject to easements, rights-of-way, and protective covenants of record, if any.

Subject to all prior mineral reservations and oil and gas leases.

Washington County, AR
I certify this instrument was filed on
4/30/2013 10:44:35 AM
and recorded in REAL ESTATE

File# 2013-00014107
Kyle Sylvester - Circuit Clerk

PROOF OF POSTING OF ORDINANCE

STATE OF ARKANSAS

COUNTY OF Washington

We, Harold Dauthit and Glennia Ferris, do solemnly swear that as Mayor and City Clerk, respectively, of and for the City of Elm Springs, Washington County, Arkansas that a certified copy of Ordinance No. 2015 01 10 (the "O' Barr Property Enhancement Ordinance") was, on the 20 day of January, 2015, duly posted in five (5) separate and distinct places inside the corporate limits of the City in accordance with Ordinance No. 01-10 and that the Ordinance remained posted for thirty (30) days.

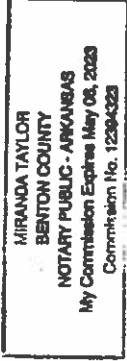
DATED this 20 day of January, 2015.

Harold Dauthit
Mayor

Glennia Ferris
City Clerk

(SEAL)

SUBSCRIBED AND SWORN to before me, a Notary Public, on this 20th Day of January, 2015.



Miranda Taylor
Notary Public

My Commission Expires:

May 6, 2023

ORDINANCE NO. 2015-14

CITY OF ELM SPRINGS, WASHINGTON AND BENTON COUNTIES,
ARKANSAS

AN ORDINANCE ACCEPTING THE ANNEXATION INTO THE
CITY OF ELM SPRINGS, ARKANSAS, OF CERTAIN LANDS
CONTIGUOUS TO AND ADJOINING THE CITY, AND MAKING
SAME A PART OF THE CITY OF ELM SPRINGS.

WHEREAS, a Petition for Annexation was filed on May 6, 2015, with the County Clerk of Washington County, Arkansas, by Elite Energy, LLC, as the owners of the hereinafter described lands, praying that said territory be annexed into, and made a part of the City of Elm Springs, Arkansas; and,

WHEREAS, in a hearing on June 15, 2015, the County Court of Washington, Arkansas, found, in an order filed June 19, 2015, that the petition was signed by a majority of the real estate owners in said territory; that said territory was contiguous and adjoining the presenting corporate limits of the City of Elm Springs, Arkansas; that an accurate plat or map of said territory had been filed with and made a part of said petition; that proper notice had been given for the time and in the manner prescribed by law, and that all things pertaining thereto had been done in the manner prescribed by law, and that said lands and territory should be annexed to and made a part of the City of Elm Springs, Arkansas, subject to the acceptance of same by the City Council of said city at the proper time, as provided by law; and

WHEREAS, the time fixed by law for appealing from the Order of Annexation made by the Washington County Court has expired and any and all appeals taken from the order of annexation have been abandoned by any and all such Petitioners.

NOW THEREFORE, BE IT ENACTED, by the City Council of the City of Elm Springs, as follows:

Section 1. The following described lands and territory contiguous to and adjoining the City of Elm Springs, Arkansas, be, and the same is hereby accepted as part of and annexed into and made a part of the City of Elm Springs, Arkansas, to-wit:

[SEE EXHIBIT A, LEGAL DESCRIPTION]

Section 2. A certified copy of this Ordinance shall be transmitted to the Washington County Clerk for transmittal to the Arkansas Secretary of State, as provided by Arkansas Code Annotated § 14-40-605.

PASSED AND APPROVED this 19 day of October, 2015.

ATTEST:

Glenda Pettus
Glenda Pettus, Recorder

APPROVED:

Harold Douthit
Harold Douthit Mayor

Doc ID: 016546150002 Type: REL
Kind: ORDINANCE
Recorded: 11/05/2015 at 10:18:04 AM
Fee Amt: \$20.00 Page 1 of 2
Washington County, AR
Kyle Sylvester Circuit Clerk
File # 2015-00031652

Property in the following Washington County (WC) parcels: 001-19239-002; 001-19245-000; 001-19246-000; 001-19266-000; 001-19247-000; 001-19267-000; and 001-19259-000; more particularly described as follows:

Beginning at the NW corner of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of S28, T18N, R31W, Washington County, Arkansas; thence East along the North line of said NW $\frac{1}{4}$ SE $\frac{1}{4}$ 14 feet; thence N $71^{\circ}30'21''$ E 288.27 feet; N $83^{\circ}38'54''$ E 78.76 feet, same point being the SW corner of WC parcel 001-19237-000; thence N $83^{\circ}38'44''$ E 1015.64, more or less, same point being the SE corner of WC parcel 001-19237-001 on the West line of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of said S28; thence North along the West line of said SE $\frac{1}{4}$ NE $\frac{1}{4}$ 261.22 feet, more or less, same point being the NE corner of WC parcel 001-19237-001; thence S $78^{\circ}59'58''$ E to the East line of S28, T18N, R31W, same line being the Elm Springs city limit line; thence southerly along said East line 438.3 feet, more or less to a point, same point being the NE corner of parcel 001-19239-007; thence West 1175.2 feet, more or less, to a fence corner post, same point being the NW corner of parcel 001-19239-007; thence South 1223 feet, more or less, to a set iron pin, same point being the SW corner of parcel 00119239-004 on the North line of the S $\frac{1}{2}$ of S28, T18N, R31W; thence westerly along said North line of said S $\frac{1}{2}$ to the NE corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said S28; thence South along the East line of said SW $\frac{1}{4}$ SW $\frac{1}{4}$ to the SE corner of said SW $\frac{1}{4}$ SW $\frac{1}{4}$ of S28; thence westerly along the South line of S28, T18N, R31W 477.92 feet; thence North 210 feet; thence West 840 feet, more or less, to the West line of said S28; thence South along said West line 12 feet, more or less, same point being the NE corner of WC parcel 00119269-001; thence West 1320 feet, more or less, to the West line of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of S29, T18N, R31W, same point being the NW corner of WC parcel 001-19269-000; thence northerly along the West line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$ to the NW corner thereof; thence westerly along the South line of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said S29 to the SW corner thereof; thence northerly along the West line of the E $\frac{1}{4}$ of said S29 to the NW corner of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of S29, T18N, R31W; thence easterly to the NE corner of the W $\frac{1}{2}$ of said SW $\frac{1}{4}$ NE $\frac{1}{4}$; thence southerly along the East line of said W $\frac{1}{2}$ of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ to the SE corner thereof; thence easterly along the South line of the N $\frac{1}{2}$ of S29 and S28 of T18N, R31W to the point of beginning—LESS AND EXCEPT the following properties, all in Washington County, Arkansas: (1) Beginning at the SE corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of S28, T18N, R31W; thence along the South line of said SW $\frac{1}{4}$ SW $\frac{1}{4}$ N $88^{\circ}49'42''$ W 477.92 feet; thence leaving said South line, N $01^{\circ}22'45''$ E 86.10 feet; thence S $81^{\circ}15'37''$ E 481.93 feet; thence S $01^{\circ}29'01''$ W 22.62 feet to the point of beginning, same being WC parcel 001-19247-002; and (2) A part of the W $\frac{1}{2}$ of the SW $\frac{1}{4}$ of S28, T18N, R31W, being more particularly described as follows: Commencing at the SE corner of said 80 acre tract; thence N $01^{\circ}27'08''$ E along the East line of said 80 acre tract 933.68 feet to a set "VS" iron rebar for the true point of beginning; thence S $80^{\circ}14'42''$ W 488.25 feet to a set "V" iron rebar; thence N $12^{\circ}45'11''$ W 222.02 feet to a set "VS" iron rebar; thence N $56^{\circ}30'00''$ E 594.65 feet to a point in the center of county road #937; thence S $50^{\circ}17'16''$ E 69.76 feet, more or less, to a point on the East line of said 80 acre tract; thence South along the East line of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of S28, T18N, R31W to the point of beginning, same being WC parcel 001-19247-001.

EXHIBIT

A

PROOF OF POSTING OF ORDINANCE

STATE OF ARKANSAS

COUNTY OF Washington

We, Harold Douthit and Glenda Pottus, do solemnly swear that as Mayor and City Clerk, respectively, of and for the City of Elm Springs, Washington County, Arkansas that a certified copy of Ordinance No. 2015-14 (the "Annexation of 311 Access Ordinance") was, on the 21 day of October, 2015, duly posted in five (5) separate and distinct places inside the corporate limits of the City in accordance with Ordinance No. 0710 and that the Ordinance remained posted for thirty (30) days.

DATED this 21 day of October, 2015.

Harold D. Douthit
Mayor

Glenda Pottus
City Clerk

(SEAL)

SUBSCRIBED AND SWORN to before me, a Notary Public, on this 21 Day of October, 2015.

Miranda Taylor
Notary Public

My Commission Expires:

May 6, 2023

