

ORDINANCE NO. 6431

AN ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN TERRITORY, LOCATED ON APPROXIMATELY 56.2 ACRES ON REAL PROPERTY ID: 3840, TO THE CITY OF HOT SPRINGS, ARKANSAS; ASSIGNING THE LANDS TO A ZONING DISTRICT AND TO A BOARD DISTRICT; REVISING THE FUTURE LAND USE MAP; AND FOR OTHER PURPOSES.

WHEREAS, a Petition was filed with the County Clerk of Garland County, Arkansas, pursuant to Arkansas Code Annotated §14-40-601 *et seq.* by the majority of real estate owners of the hereinafter described territory praying that said territory be annexed to, and made a part of the City of Hot Springs, Arkansas; and

WHEREAS, on May 5, 2022, the County Court of Garland County, Arkansas, held a public hearing and made findings 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 Hot Springs, Arkansas; that an accurate 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 ordered that said lands and territory should be annexed to and made a part of the City of Hot Springs, Arkansas; and

WHEREAS, The County Judge of Garland County, Arkansas entered an order of annexation on May 13, 2022 commencing the 30-day waiting period during which time any interested parties could institute a proceeding to prevent the annexation; and

WHEREAS, the time set by law for protesting said Order of Annexation made by the County Court has expired, and no notice of appeal from said Order has been received.

NOW, THEREFORE, BE IT ORDAINED by the Board of Directors of the City of Hot Springs, Arkansas, as follows:

SECTION 1. That the following described lands and territory contiguous to and adjoining the City of Hot Springs, Arkansas, be hereby accepted as part of and annexed to the City of Hot Springs, Arkansas:

THE EAST 1/5 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4, THE WEST 3/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4, AND THE SOUTHEAST DIAGONAL 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4, ALL IN SECTION 26, TOWNSHIP 2 SOUTH, RANGE 19 WEST, GARLAND COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE EAST 1/5 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 26, THENCE NORTH 04°11'25" EAST, 1311.68 FEET

TO A 2" ALUM. CAP AT THE NORTHWEST CORNER OF SAID EAST 1/5 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4; THENCE SOUTH 88°57'52" EAST, 266.81 FEET TO A 2" ALUM. CAP ON A #5 REBAR AT THE NORTHEAST CORNER OF SAID EAST 1/5 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4; THENCE NORTH 47°45'36" EAST, ALONG THE NORTHWESTERLY LINE OF THE SOUTHEAST DIAGONAL 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 26 FOR A DISTANCE OF 1839.53 FEET TO A 2" WEYCO CAP ON A #8 REBAR AT THE NORTHEAST CORNER THEREOF; THENCE SOUTH 03°34'09" WEST, ALONG THE EAST LINE OF SAID NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 26 FOR A DISTANCE OF 1262.25 FEET TO A 2" WEYCO CAP ON A #8 REBAR AT THE SOUTHEAST CORNER THEREOF; THENCE NORTH 88°57'52" WEST, ALONG THE SOUTH LINE OF SAID NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 26 FOR A DISTANCE OF 320.87 FEET TO AN ALUM. CAP ON A #5 REBAR AT THE NORTHEAST CORNER OF THE WEST 3/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 26; THENCE SOUTH 03°00'43" WEST, ALONG THE EAST, LINE THEREOF FOR A DISTANCE OF 1327.83 FEET TO A #8 REBAR AT THE SOUTHEAST, CORNER THEREOF; THENCE NORTH 88°10'48" WEST, ALONG THE SOUTH, LINE THEREOF FOR A DISTANCE OF 989.33 FEET TO AN ALUM. CAP ON A #5 REBAR AT THE SOUTHWEST CORNER THEREOF; THENCE NORTH 88°08'47" WEST, ALONG THE SOUTH LINE OF THE EAST 1/5 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 266.62 FEET TO THE POINT OF BEGINNING, CONTAINING 56.20 ACRES, MORE OR LESS.

SECTION 2. That the above-described territory shall be and is hereby zoned (C-4), and the zoning map as adopted by the Zoning Code is hereby amended to the extent necessary to designate this zoning classification.

SECTION 3. That the above-described territory shall be and is hereby designated Tourist Commercial on the Future Land Use Plan Map.

SECTION 4. Future development is subject to local, state, and federal requirements in effect at the time of development.

SECTION 5. That the above-described territory shall be made a part of District 1 of the City of Hot Springs, Arkansas, and the same shall, henceforth, be a part of said District as fully as the existing part of said District.

PASSED: June 21, 2022

APPROVED: 
PAT McCABE, MAYOR

ATTEST: 
LEIGH LEAVERTON, DEPUTY CITY CLERK

APPROVED AS TO LEGAL FORM: 
BRIAN W. ALBRIGHT, CITY ATTORNEY