

**ORDINANCE NO. 12 OF 2017**

**AN ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF CABOT (Referred to as Bob Tasler Annex), ARKANSAS, AND MAKING SAME A PART OF THE CITY OF CABOT, ARKANSAS, ASSIGNING SAME TO WARDS, AND ZONING SAID ANNEXED TERRITORY; DECLARING AN EMERGENCY, AND FOR OTHER PURPOSES**

WHEREAS, a Petition was filed on the 3<sup>rd</sup> day of March 23, 2017, with the County Clerk of Lonoke County, Arkansas, by one hundred percent (100%) of the total number of real estate owners of the hereinafter described territory praying that said territory be annexed to, and made a part of the City of Cabot, Arkansas; and,

WHEREAS, on the 31<sup>st</sup> day of March 31, 2017, the County Court of Lonoke County, Arkansas, found that the Petition was signed by one hundred percent (100%) of the real estate owners in said territory; that said territory was contiguous and adjoining the present corporate limits of the City of Cabot, Arkansas; that an accurate plat or map of said territory had been filed with and made a part of said Petition; that the Petition contained a Schedule of Services of the City of Cabot, and that the territory has been properly coordinated with the Arkansas GIS office; 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 Cabot, Arkansas, subject to the acceptance of same by the City Council of said City at the proper time, as provided by law.

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

**SECTION 1:** The following described lands and territories annexed to the City of Cabot, by Order of the County Court of Lonoke County, Arkansas, by its Order of March 31, 2017, be and are hereby accepted by the City of Cabot, Arkansas, said territory hereinafter

described shall be hereafter deemed and taken to be a part and parcel of the limits of the City of Cabot, Arkansas, and the inhabitants residing therein shall have and enjoy all of the rights and privileges of the inhabitants within the original limits of the City of Cabot, Arkansas.

**SECTION 2:** The lands and territories are hereby annexed to and accepted by the City of Cabot, Arkansas, and particularly described as follows:

**Survey Description**

**Part of the Northeast one-quarter of Section 35, T-5-N, R-10-W, Lonoke County, Arkansas and being more particularly described as follows:**

**Beginning at a one inch pipe found for the Northwest corner of the Southwest one-quarter of said Northeast one-quarter of Section 35, T-5-N, R-10-W; thence North 55 degrees 52 minutes 22 seconds East, 152.03 feet to a #4 rebar found on the south boundary line of Cypress Creek Golf course; thence along said South boundary the following meanders; thence South 64 degrees 22 minutes 08 seconds East, 181.95 feet to a #4 rebar found; thence South 89 degrees 16 minutes 09 seconds East, 506.66 feet to a #4 rebar found; thence South 77 degrees 28 minutes 43 seconds East, 385.08 feet to a #4 rebar found; thence South 79 degrees 32 minutes 27 seconds East, 484.79 feet to a #4 rebar found; thence North 88 degrees 01 minutes 57 seconds East, 313.75 feet to a #4 rebar found; thence South 77 degrees 21 minutes 51 seconds East, 230.34 feet to a #4 rebar set on the centerline of a 180.0 feet wide electric transmission Right of Way for Energy Arkansas; thence leaving said South boundary line and along the centerline of said 180 feet wide transmission Right of Way South 17 degrees 04 minutes 08 seconds West, 1214.25 feet to a #4 rebar set on the South line of said Northeast one-quarter of section 35; thence along said South line North 88 degrees 41 minutes 30 seconds West, 1850.53 feet to a #3 rebar found for the Southwest corner of said Northeast one-quarter Section 35; thence North 00 degrees 49 minutes 17 seconds East, 1329.60 feet along the West line of said Northeast one-quarter of section 35 to the point of beginning and containing 59.94 acres more or less of which 2.53 Acres are included within the Entergy Arkansas Transmission Line Easement located along the Easterly Boundary and 4.39 Acres are included within the First Electric Cooperative Transmission and Distribution Easement located along the Southerly Boundary. Basis for Bearing is Grid North of the Arkansas State Plane Coordinate System North Zone. Subject to recorded or prescriptive easements for Ingress-Egress and placement of existing utilities, Also Subject to a sixty foot road and utility easement for the proposed extension of Club House Road to be dedicated to the public across the Northeast Corner of the above described property from an extension of the centerline of said Club Road Southerly to the existing gravel road as shown on the Survey plat by David R. Jones dated May, 2005.**

**SECTION 3:** The above described annexed lands and territories are hereby assigned and attached to Ward 2 of the City of Cabot, Arkansas, and the same shall henceforth be a part of said ward as fully as existing parts of said ward.

**SECTION 4:** The above described annexed lands and territories are hereby zoned R-1.

**SECTION 5:** Water and sewer services are available on adjacent property to the proposed annexation. The Property owner or developer will be responsible to extend water and sewer facilities to the annexed property at their expense. Cabot Waterworks may require additional infrastructure improvements at the owner/developer's expense, depending on the final development plans for the property. All infrastructure improvements shall be constructed in accordance with Cabot Waterworks Policies and construction specifications.

**SECTION 6:** Emergency. Whereas, it is found and declared by the City Council of the City of Cabot, Arkansas, that there is now an extreme urgency that the lands and territories herein be immediately annexed to and accepted by the City of Cabot, Arkansas, so that said property and the citizens and property owners of said lands and territories described herein can be entitled to fire and police protection, zoning, and other protection and benefit; that said benefits and protections are urgently needed now in order to allow orderly growth and development of said lands and territories. The property owner has a closing set for April 19, 2017 contingent upon the City of Cabot accepting said lands. Therefore, an emergency is hereby declared to exist; this Ordinance being necessary for the preservation of public peace, health and safety shall take effect and be in full force and affect from and after its passage.

**SPONSOR:**  
William A. "Bill" Cypert, Mayor

**PASSED: 8-0**  
**DATE: 4-17-17**  
**APPROVED:**

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William A. "Bill" Cypert, Mayor

**APPROVED AS TO FORM:**

**ATTEST:**

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Jim Taylor, City Attorney

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Tammy Yocom, City Clerk-Treasurer