


ORDINANCE NO. 03-2018

2018002158
FILED FOR RECORD
04/25/2018 11:11AM
RHONDA WATKINS Clerk
Boone County, Arkansas

AN ORDINANCE DETACHING CERTAIN LANDS OWNED BY JADON K.  DUNCAN AND KAYLA R. DUNCAN, HUSBAND AND WIFE, FROM THE INCORPORATED LIMITS OF THE CITY OF DIAMOND CITY, ARKANSAS; AND FOR OTHER PURPOSES.

WHEREAS, Jadon K. Duncan and Kayla R. Duncan, husband and wife, are the owners of certain lands which had been purportedly annexed into the incorporated limits of the City of Diamond City, Arkansas; and,

WHEREAS, Jadon K. Duncan and Kayla R. Duncan, husband and wife, filed an Affidavit requesting their lands be detached from the incorporated limits of the City of Diamond City, Arkansas; and,

WHEREAS, Arkansas law provides that municipalities may detach lands previously annexed into the incorporated limits of a municipality; and,

WHEREAS, a city council meeting was held on March 27, 2018, regarding the request of Jadon K. Duncan and Kayla R. Duncan to detach their lands from the incorporated limits of the City of Diamond City, Arkansas; and,

WHEREAS, on March 27, 2018, the request of Jadon K. Duncan and Kayla R. Duncan to detach certain lands from the incorporated limits of the City of Diamond City, Arkansas, was discussed and debated by the City Council of Diamond City;

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

Section 1. That the following described lands owned by Jadon K. Duncan and Kayla R. Duncan are hereby detached from the incorporated limits of the City of Diamond City, Arkansas, and from and after the date of the passage of this Ordinance, shall cease to be lands within the incorporated limits of Diamond City, Arkansas:

SEE ATTACHED EXHIBIT A.

Section 2. Due to the importance to the health, welfare, and safety of the efficient and quiet use of the lands and due to the accurate description of the boundaries of the City of Diamond City, Arkansas, there is declared to be an emergency and the Ordinance shall be in full force and effect upon passage and approval.

PASSED AND APPROVED this 27th day of March, 2018, by a vote of 4 yeas, 1 nays, and 1 abstaining.

FOR:

Larry Brown
Don Bennett
Jim Wisneiski
Rick Van Dyke

AGAINST:

Gina Whited

ABSTAINED:

Carolyn Arnold

APPROVED:

Tina Jackson
Jan Hudson

Tina Jackson, Acting Mayor

ATTEST:

Tina Jackson
Tina Jackson, City Recorder

STATE OF ARKANSAS
COUNTY OF BOONE

Subscribed and sworn before me, a Notary Public, within and for the county and state aforesaid, duly qualified and acting, this 25 day of April 2018

Tammy Bundy
Notary Public

My Commission Expires: 2-14-2027

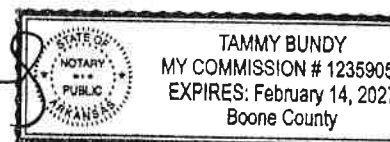


Exhibit A

The Southeast Quarter of the Southeast Quarter of the Southeast Quarter of the Southeast Quarter, the North Half of the Southeast Quarter of the Southeast Quarter of the Southeast Quarter, the Northeast Quarter of the Southeast Quarter of the Southeast Quarter, the East Half of the Northwest Quarter of the Southeast Quarter of the Southeast Quarter, all in Section 17, Township 21 North, Range 18 West, Boone County, Arkansas.

The Southwest Quarter of the Southwest Quarter of the Southwest Quarter of Section 16, Township 21 North, Range 18 West, Boone County, Arkansas.

The West Half of the Northwest Quarter of the Northwest Quarter of Section 21, Township 21 North, Range 18 West, Boone County, Arkansas.

The West Half of the East Half of the Northwest Quarter of the Northwest Quarter of Section 21, Township 21 North, Range 18 West, Boone County, Arkansas.

The East Half of the Northeast Quarter of the Northeast Quarter of the Northeast Quarter of Section 20, Township 21 North, Range 18 West, Boone County, Arkansas.

ALSO TOGETHER WITH a Thirty feet wide easement for ingress and egress and utilities, over and across a part of the Northwest Quarter of the Southwest Quarter and a part of the Southwest Quarter of the Northwest Quarter, all in Section 21, Township 21 North, Range 18 West, Boone County, Arkansas, being 15 feet each side of the following described centerline of easement: Commencing at the Southwest corner of said Northwest Quarter of the Southwest Quarter; thence N 0°59'54" E along the West line of forty, 426.16 feet POINT OF BEGINNING; thence with the centerline of easement and centerline of a woods road, N 68°18'52" E, 55.51 feet, thence N 48°59'47" E, 26.11 feet; thence N 23°23'54" E, 109.03 feet; thence N 43°36'19" E, 34.80 feet; thence N 57°50'13" E, 211.48 feet; thence N 37°53'28" E, 27.61 feet; thence N 16°41'44" E, 70.59 feet; thence N 0°38'30" E, 127.89 feet; thence N 42°54'58" W, 85.43 feet; thence N 4°38'34" W, 82.81 feet; thence N 2°57'49" W, 55.20 feet; thence N 11°38'34" E, 92.99 feet; thence N 23°46'07" E, 135.52 feet; thence N 3°28'48" E, 96.50 feet; thence N 12°15'13" E, 65.57 feet; thence N 3°24'15" W, 58.25 feet; thence N 0°22'40" E, 90.99 feet; thence N 9°04'25" E, 74.94 feet; thence N 10°33'06" E, 84.78 feet; thence N 6°06'09" E, 113.52 feet; thence N 4°50'46" W, 94.79 feet; thence N 28°39'30" W, 24.63 feet; thence N 34°32'33" W, 38.18 feet; thence N 19°26'50" W, 52.84 feet; thence N 9°11'58" W, 32.59 feet; thence N 5°52'32" W, 154.69 feet; thence N 23°13'44" W, 111.25 feet;

thence N 23°31'10" W, 83.86 feet; thence N 16°00'14" E, 29.14 feet; thence N 54°11'05" E, 49.53 feet; thence N 74°52'31" E, 79.37 feet; thence N 58°42'52" E, 35.57 feet; thence N 24°00'31" E, 26.23 feet; thence N 1°07'47" E, 52.66 feet to the North line of the said Southwest Quarter of the Northwest Quarter and the termination point of herein described centerline of easement.



STATE OF ARKANSAS } } SS
COUNTY OF BOONE } }

I hereby certify that this instrument was filed for record in my office the 04/25/2018 11:11AM and duly recorded. Record as Instrument # 2018002158 Witness my hand and the court seal this 04/25/2018 11:11AM
RHONDA WATKINS
Circuit Clerk and Recorder

By 

CLERK'S CERTIFICATE

STATE OF ARKANSAS }
County of Boone } ss

RHONDA WATKINS, Circuit Clerk and Recorder in and for the County and State aforesaid, do hereby certify that the foregoing instrument in writing is a true and correct copy of the original Ordinance No 03-2018 as Recorded as Instrument # 2018003158 in my office at Harrison, Arkansas.

Given under my hand and seal this 25th day of April, 2018.

RHONDA WATKINS, CLERK

By [Signature] Deputy Clerk

