

ORDINANCE NO. 2023-06

AN ORDINANCE ANNEXING CERTAIN LANDS THAT ARE COMPLETELY SURROUNDED BY THE INCORPORATED LIMITS OF THE CITY OF MARSHALL; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

WHEREAS, Arkansas Code Annotated sections 14-40-501- 14-40-503 provide that unincorporated islands of land that have been surrounded by the incorporated limits of a municipality may be annexed by that municipality, including situations in which the unincorporated area is surrounded on three sides by the municipal boundaries and on the fourth side by a state boundary, a military base, a state park, a national forest, a lake or a river.

WHEREAS, the City of Marshall desires to annex certain lands more completely described below; and

WHEREAS, all necessary urban services, such as fire and police protection, are to be extended to such area within a reasonable period of time; and

WHEREAS, the area to be annexed complies with the standards for lands qualifying for annexation which are set forth in A.C.A. 14-40-302 and A.C.A. 14-40-501; and

WHEREAS, the council finds that the territory to be annexed is surrounded by the incorporated limits of the City of Marshall; and

WHEREAS, a public hearing was held on September 12th, 2023 regarding this proposed annexation; and

WHEREAS, on September 6th, 2023 , a legal notice was published setting out the legal description of the territory proposed to be annexed, and all property owners within the area were notified by certified mail of their right to appear at the public hearing.

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

SECTION 1. That the following described unincorporated lands, which are completely surrounded by the city limits of the City of Marshall, are hereby annexed, effective this date, to the City of Marshall: All of the following unincorporated territory in Searcy County, AR:

The portion of all that part of the W 1/2 of the SW SE and the west 85 feet of the E 1/2 of the SW SE in Section 26, Township 15 North, Range 16 West that is not already in the City 5.6 acres more or less.

Section 30, Township 15 North , Range 15 West Enclave Legal Description all that part of the S 1/2 of the S 1/2 of the NE SW in fractional Section 30, Township 15 North, Range 15 West that is not already in the city 1.6 acres more or less.

Section 35, Township 15 North, Range 16 West Enclave Legal Description all that part of the N 1/2 NW of Section 35, Township 15 North, Range 16 West that is not already in the city two acres more or less.

SECTION 2. All necessary urban services, such as police and fire protection and maintenance of public streets, shall be extended to such area within a reasonable time.

SECTION 3. Notice. Within forty-five (45) days of the effective date of this ordinance, the city clerk shall provide written notice, along with complete documentation, to the county clerk of each county in which the territory is affected.

SECTION 4. Because these areas are in need of all necessary urban services, such as police and fire protection, and this is necessary for the public peace, health, safety and welfare, an emergency is declared to exist. Therefore, this ordinance shall be in full force and effect from after the date of the passage.

PASSED: 9.12.2023

ATTEST: Recorder/Treasurer M. England

APPROVED: Mayor Karin Elliott