

ORDINANCE NO. 137

AN ORDINANCE PROVIDING FOR THE DETACHMENT OF A PARCEL OF PROPERTY WITHIN THE CITY OF LOWELL ARKANSAS, WHICH PROPERTY ADJOINS THE CITY OF BETHEL HEIGHTS ARKANSAS, AND THE ANNEXATION OF THE PROPERTY INTO THE CITY OF BETHEL HEIGHTS, ARKANSAS.

WHEREAS, It is the desire of the City Council of Bethel Heights, Arkansas to annex a parcel of property, described herein below, which adjoins the City of Bethel Heights but is located within the limits of the City of Lowell into Bethel Heights for use in the Bethel Heights sewer service; and

WHEREAS, The City Council of the City of Lowell has acquiesced in the request of the City of Bethel Heights to have the parcel of property detached from the City of Lowell and simultaneously annexed into the City of Bethel Heights, Arkansas.

Legal Description:

PART OF THE NE/4 OF THE NW/4 OF SECTION 13, TOWNSHIP 18 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
COMMENCING AT THE NW CORNER OF SAID NE/4 OF THE NW/4, THENCE S 86°58'19" E 17.75 FEET TO THE POINT OF BEGINNING, THENCE S 2°12'59" W 1334.92 FEET ALONG THE EAST BOUNDARY OF MOODY ACRES, A BETHEL HEIGHTS SUBDIVISION, THENCE S 86°55'53" E 393.05 FEET ALONG THE SOUTH LINE OF SAID NE/4 OF THE NW/4, THENCE N 2°10'50" E 1065.92 FEET ALONG AN EXISTING FENCE TO A FOUND IRON PIN, THENCE N 86°54'41" W 180.23 FEET TO A FOUND IRON PIN, THENCE N 2°18'20" E 269.09 FEET THROUGH AN EXISTING IRON PIN TO THE NORTH LINE OF SAID NE/4 OF THE NW/4, THENCE N 86°58'19" W 205.31 FEET ALONG THE NORTH LINE OF SAID NE/4 OF THE NW/4 TO THE POINT OF BEGINNING, CONTAINING 10.92 ACRES AND SUBJECT TO THE RIGHT-OF-WAY OF APPLE BLOSSOM AVENUE ALONG THE NORTH SIDE OF THE PROPERTY AND SUBJECT TO THE RIGHT-OF-WAY OF LINCOLN STREET ALONG THE WEST SIDE OF THE PROPERTY AND SUBJECT TO ANY OTHER EASEMENTS OF RECORD.

NOW THEREFORE, Be it ordained by the City Council of the City of Bethel Heights, Arkansas with the concurrence and agreement of the City Council of the City of Lowell.

SECTION 1. That the property herein above be detached from the City of Lowell and annexed into the City of Bethel Heights, Arkansas.

SECTION 2: That the detachment and annexation shall take effect immediately upon the completion of the requirements of Arkansas Statue 14-40-2101 and the concurring vote of the City Council of the City of Lowell, Arkansas.

Passed and approved this 15<sup>th</sup> day of October 2002.

APPROVED: *Samuel H. Ramsey*  
Mayor, City of Bethel Heights

ATTEST: *[Signature]*  
Recorder/Treasurer, City of Bethel Heights

Concurrence passed and approved this 12<sup>th</sup> day of November, 2002.

APPROVED: *Martha Brown*  
Mayor, City of Lowell

ATTEST: *Sandra L. Jarrett*  
Recorder/Treasurer, City of Lowell