

ORDINANCE NO. 2024- 04

CITY OF CAVE SPRINGS, BENTON COUNTY, ARKANSAS

AN ORDINANCE CALLING FOR THE SIMULTANEOUS DETACHMENT AND ANNEXATION OF LAND CURRENTLY LOCATED IN ROGERS, BENTON COUNTY, ARKANSAS; DECLARING AN EMERGENCY AND FOR OTHER PURPOSES.

WHEREAS, Ark. Code Ann. § 14-40-2101 provides a procedure by which property may be simultaneously detached from one municipality and annexed into adjoining municipality; and

WHEREAS, the City of Cave Springs, Arkansas desires to detach and annex the following described areas of property ("the Property") currently located in the City of Rogers, Benton County, Arkansas as set forth in the legal descriptions attached hereto as Exhibits "A" (Property West of Highway 112) and "B" (Property North of Wallis Road);

WHEREAS, map showings the location of the Property is attached hereto as Exhibit "C" and Exhibit "D", respectively;

WHEREAS, the City of Cave Springs stands ready to provide all municipal services to the above described Property in coordination with the City of Rogers and the Rogers Waterworks and Sewer Commission; and

WHEREAS, the City of Cave Springs, Arkansas wishes to comply with the provisions of Ark. Code Ann. § 14-40-2101.

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

Section 1. The Property described herein and shown in the maps attached as Exhibit "A" and "B" shall be simultaneously de-annexed from the City of Rogers, Arkansas, and annexed into the City of Cave Springs, Arkansas, pursuant to Ark. Code Ann. § 14-40-2101;

Section 2. The City Clerk is hereby directed to send a copy of this Ordinance to the governing body of the City of Rogers, Arkansas, pursuant to Ark. Code Ann. § 14-40-2101(a);

Section 3. Pursuant to Ark. Code Ann. § 14-40-2101(b)(2), the City of Rogers, Arkansas shall conduct a public hearing within sixty (60) days of the date of the passage of this Ordinance;

Section 4. Pursuant to Ark. Code Ann. § 14-40-2101(b)(3), the City Clerk of the City of Rogers, Arkansas is directed to publish a legal notice of the public hearing at least fifteen (15) days prior to the public hearing, and such notice shall set out the legal description of the property proposed to be detached and annexed;

Section 5. If the City Council for the City of Rogers, Arkansas approves of the proposed detachment and annexation ordinance, the City of Cave Springs shall proceed to render services to the newly annexed area, pursuant to Ark. Code Ann. § 14-40-2101(c)(2);

Section 6. If the City Council for the City of Rogers, Arkansas approves the proposed detachment and annexation ordinance, and if no suit is brought within thirty (30) days to review the mutual actions of the City of Cave Springs and the City of Rogers, then the detachment and annexation of the land shall be final, pursuant to Ark. Code Ann. § 14-40-2101(d), and the City Clerk of the City of Rogers, Arkansas shall at that time certify a copy of the plat of the annexed property and a copy of the ordinances passed to the County Clerk of Benton County, Arkansas, pursuant to Ark. Code Ann. § 14-40-2101(e)(2), who shall forward a copy of each document to the Secretary of State for the State of Arkansas, who shall file and preserve them.

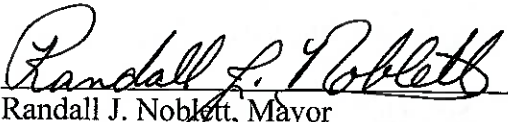
Section 7. In the event that any section, paragraph, subdivision, clause, phrase, or other provision or portion of this Ordinance shall be adjudged invalid or unconstitutional, the same shall not affect the validity of this Ordinance as a whole, or any part or provision, other than the part so decided to be invalid or unconstitutional, and the remaining provisions of this Ordinance shall be construed as if such invalid, unenforceable or unconstitutional provision or provisions had never been contained herein provisions of this Ordinance shall be construed as if such invalid, unenforceable or unconstitutional provision or provisions had never been contained herein.

Section 8. All ordinances, resolutions or orders of the City Council, or parts of the same, in conflict with this Ordinance are repealed to the extent of such conflict.

Section 9. Declaration of Emergency. It is hereby found and determined that there is a need to immediately detach and annex the Property as described in Section 1 of this Ordinance. Therefore, an emergency is declared to exist, and this act, being immediately necessary for the preservation and protection of the public peace, health, safety and welfare of the City and its citizens, shall become effective on the date of its passage and approval by the Mayor.

PASSED AND APPROVED this 26 day of March 2024.

APPROVED:


Randall J. Noblett, Mayor

ATTEST:


Kimberly Hutcheson, City Clerk-Treasurer
(SEAL)



FILED FOR RECORD
AT 7:45 O'CLOCK A M.

MAR 27 2024

**CITY OF CAVE SPRINGS, AR
CITY CLERK**



PROPOSED DE-ANNEXATIONS:

West of Highway 112

Benton County Parcels 02-02137-170, 02-02137-190, 02-02137-400, 02-02137-418, and numerous subdivision lots in Part of the E1/2 of the NE1/4 of Section 26-19N-31W

(Descriptions from City of Rogers Ordinance 19-84)

TRACT A (57.00 Acres)

A PART OF THE N1/2 OF THE NE1/4 OF THE NE1/4 OF SECTION 26 AND THE SE1/4 OF THE SE 1/4 OF SECTION 23, BOTH IN TOWNSHIP 19 NORTH, RANGE 31 WEST OF THE 5th PRINCIPAL MERIDIAN, BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST OF THE SE1/4 OF THE SE1/4 OF SAID SECTION 23; THENCE S02°27'14"W 563.79' ALONG THE EAST LINE OF THE N1/2 OF THE NE1/4 OF THE NE1/4 OF SECTION 26, THENCE LEAVING SAID EAST LINE AND RUNNING N87°28'04"W 1325.30' TO A POINT ON THE WEST LINE OF THE N1/2 OF THE NE1/4 OF THE NE1/4 OF SECTION 26; THENCE N02°28'43"E 563.79' TO THE NORTHWEST CORNER OF SAID N1/2 OF THE NE1/4 OF THE NE1/4 OF SECTION 26; THENCE N02°32'34"E 1310.61' FEET TO THE NORTHWEST CORNER OF THE SE1/4 OF THE SE1/4 OF SAID SECTION 23; THENCE S87°26'12"E 1324.83' ALONG THE NORTH LINE THEREOF TO THE NORTHEAST CORNER OF THE SE1/4 OF THE SE1/4 OF SAID SECTION 23; THENCE S02°31'58"W 1309.89' ALONG THE EAST LINE THEREOF TO THE POINT OF BEGINNING, CONTAINING 57.00 ACRES, MORE OR LESS.

SUBJECT TO THE 25 FOOT WIDE FROM CENTERLINE GASTON ROAD RIGHT-OF-WAY ALONG THE WEST LINE; AND ANY OR ALL EASEMENTS OF RECORD OR FACT.

TRACT B (43.37 Acres)

A PART OF THE NE1/4 OF THE NE1/4 AND THE N1/2 OF THE SE1/4 OF THE NE1/4 OF SECTION 26, TOWNSHIP 19 NORTH, RANGE 31 WEST OF THE 5th PRINCIPAL MERIDIAN, BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 26; THENCE S02°27'14"W 563.79' ALONG THE EAST LINE THEREOF TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING S02°27'14"W 1428.99' ALONG THE EAST LINE THEREOF TO THE SOUTHEAST CORNER OF THE N1/2 OF THE SE1/4 OF THE NE1/4 OF SAID SECTION 26; THENCE N87°07'57"W 1325.95' TO THE SOUTHWEST CORNER OF THE N1/2 OF THE SE1/4 OF THE NE1/4 OF SAID SECTION 26; THENCE N02°28'43"E 1421.23' ALONG THE WEST LINE OF THE E1/2 OF THE NE1/4 OF SAID SECTION 26; THENCE LEAVING SAID WEST LINE AND RUNNING S87°28'04"E 1325.30' TO THE POINT OF BEGINNING, CONTAINING 43.37 ACRES, MORE OR LESS.

SUBJECT TO THE GASTON ROAD RIGHT-OF-WAY ALONG THE WEST LINE; AND ANY OR ALL EASEMENTS OF RECORD OR FACT.

(Descriptions from City of Rogers Ordinance 17-38)

Exhibit A (Benton County Parcels 02-02137-456 & 02-02137-461)

The North 10 acres of the NE 1/4 of the SE 1/4, subject to public roads on the North and East sides of said tract, said tract being 20 rods North and South and 80 rods East and West, Section 26, Township 19 North, Range 31 West, and the East Half of the NW 1/4 of the SE 1/4 and the South 30 Acres of the NE 1/4 of the SE 1/4 of Section 26, Township 19 North, Range 31 West, containing 60 acres, more or less.

Exhibit B (Benton County Parcel 02-02137-425)

Located in a part of the SE1/4 of the NE1/4 of Section 26, Township 19 North, Range 31 West, in Benton County, Arkansas, more precisely described as follows: Starting at a set cotton spindle at the Southeast corner of the SE1/4 of the NE1/4 of Section 26 for the true point of beginning; thence along the South line of SE1/4 of the NE1/4, North 87°02'29" West 331.39 feet to a cotton spindle; thence North 02°26'37" East 663.51 feet to a set 5/8" Rebar; thence South 87°07'57" East 331.39 feet to a set 5/8" rebar; thence along the East line of the SE1/4 of the NE1/4, South 02°26'37" West 664.04 feet to a set cotton spindle and the true point of beginning; containing 5.050 Acres, more or less and being subject to the right of way of Haxton Road and any easements of record. Subject to easements, right-of-ways, and protective covenants of record, if any. Subject to all prior mineral and oil and gas leases, if any.

Exhibit C (Benton County Parcels 02-02137-476 & 02-02137-478)

Part of the W1/2 of the W1/2 of the SE1/4 of Section 26, Township 19 North, Range 31 West, Benton County, Arkansas, more particularly described as follows:
Beginning at a point 1943.44 feet, S 02°37'00" W of the NW Corner of the SE1/4 of said Section 26; thence S 87°13'38" E 662.22 feet; thence S 02°38'13" W 697.95 feet; thence N 87°07'47" W 661.98 feet; thence N 02°37'00" E 696.82 feet to the point of beginning, having a area of 10.60 ACRES. Subject to the right of way of Morning Star Road on the West side. Subject to easements, rights-of-way, and protective covenants of record, if any. Subject to all prior mineral reservations and oil and gas leases, if any.

Exhibit D (Benton County Parcels 02-02137-465, 02-02137-467, 02-02137-469, 02-02137-470, & 02-02137-471)

Part of the W1/2 of the W1/2 of the SE1/4 of Section 26, Township 19 North, Range 31 West, Benton County, Arkansas, more particularly described as follows:

Tract 1

Beginning at the NW Corner of the SE1/4 of said Section 26; thence South 87°13'38" E 662.91 feet, thence S 02°38'13" W 637.50 feet; thence N 87°13'38" W 662.68 feet; thence N 02°37'00"

E 637.50 feet to the point of beginning. Having an area of 9.70 acres. Subject to the right of way of Morning Star Road on the West side and Haxton Road on the North Side.

Tract 2

Beginning at a point 637.50 feet, S 02°37'00" W of the NW Corner of the SE1/4 of said Section 26; thence S 87°13'38" E 662.68 feet; thence South 02°38'13" W 637.82 feet; thence N 87°13'38" W 662.46 feet; thence N 02°37'00" E 637.82 feet, to the point of beginning, having an area of 9.70 acres. Subject to the right of way of Morning Star Road on the West side. Subject to easements, rights-of-way, and protective covenants of record, if any. Subject to all prior mineral reservations and oil and gas leases, if any.

Exhibit E (Benton County Parcel 02-02137-472)

Part of the W1/2 of the W1/2 of the SE1/4 of Section 26, Township 19 North, Range 31 West, Benton County, Arkansas, more particularly described as follows:

Beginning at a point 1275.32 feet, S 02°37'00" W of the NW Corner of the SE1/4 of said Section 26; thence S 87°13'38" E 662.46 feet; thence South 02°38'13" W 668.12 feet; thence N 87°13'38" W 662.22 feet; thence N 02°37'00" E 668.12 feet, to the point of beginning, having an area of 10.16 acres. Subject to the right of way of Morning Star Road on the West side. Subject to easements, rights-of-way, and protective covenants of record, if any. Subject to all prior mineral reservations and oil and gas leases, if any.

Benton County Parcels 02-02137-200, 02-02137-215, 02-02137-216, 02-02137-220, 02-02137-310, 02-02137-320, 02-02137-323, and numerous small lots/tracts in the north-half of the NW1/4 of the SE1/4 Section 25

(Descriptions from City of Rogers Ordinance 00-72)

The NW 1/4 of the SE 1/4 and the E 3/4 of the NE 1/4 of the SW 1/4, less and except 3.00 feet off of the South and West sides of the E 3/4 of the NE 1/4 of the SW 1/4, all in Section 24, Township 19 North, Range 31 West, Benton County, Arkansas.

ALSO:

30 acres squarely off of the North side of the SW 1/4 of the SE 1/4 of Section 24, Township 19 North, Range 31 West, less and except 3.00 feet off of the West side thereof.

ALSO:

The S1/4 of the SW 1/4 of the SE 1/4 of Section 24, Township 19 North of Range 31 West, less and except 3.00 feet off of the West side thereof.

ALSO:

The NW 1/4 of the NE 1/4 of Section 25, Township 19 North of Range 31 West, less and except 3.00 feet off of the West side thereof.

ALSO:

The SW 1/4 of the NE 1/4 of Section 25, Township 19 North, Range 31 West, less and except 3.00 feet off of the West side thereof.

ALSO:

A part of the North 1/2 of the NW 1/4 of the SE 1/4 of Section 25, Township 19 North, Range 31 West in Benton County, Arkansas, more particularly described as follows, to-wit: Beginning at a point located 29.57 feet West and 14.06 feet South of the NE Corner of the NW 1/4 of the SE 1/4 of said Section 25; thence South 00°37'22" West 378.40 feet along the West Right-of-Way line of Arkansas Highway No. 112; thence West 320.71 feet; thence North 00°37'22" East 372.21 feet; thence North 88°53'40" East 320.84 feet along the South Right-of-Way line of Haxton Road No. 46 to the Point of Beginning. Subject to a fifteen feet in width gasline easement along the East side thereof.

ALSO:

The N 1/2 of the NW 1/4 of the SE 1/4, Section 25, Township 19 North of Range 31 West, less and except 3.00 feet off of the West side thereof.

(Descriptions from City of Rogers Ordinance 01-20)

3.00 feet off of the South and West side of the E 3/4 of the NE 1/4 of the SW 1/4, all in Section 24, Township 19 North, Range 31 West, Benton County, Arkansas.

ALSO:

3.00 feet off of the West side of 30 acres squarely off of the North side of the SW 1/4 of Section 24, Township 19 North, Range 31 West,

ALSO:

3.00 feet off of the West side of the S 1/4 of the SW 1/4 of the SE 1/4 of Section 24, Township 19 North of Range 31 West

ALSO:

3.00 feet off of the West side of the NW 1/4 of the NE 1/4 of Section 25, Township 19 North of Range 31 West

ALSO:

3.00 feet off of the West side of the SW 1/4 of the NE 1/4 of Section 25, Township 19 North, Range 31 West

ALSO:

3.00 feet off of the West side of the N 1/2 of the NW 1/4 of the SE 1/4, Section 25, Township 19 North of Range 31 West.

Benton County Parcels 02-02137-321, 02-02137-349, 02-23261-000, 02-23260-000, 02-23403-000, and numerous small lots/tracts in the NW1/4 of Section 25

(Descriptions from City of Rogers Ordinance 02-07)

The East 1/2 of the NW 1/4, except 12 ½ acres off South side, and NW 1/4 of the NW 1/4 and the SW 1/4 of the NW 1/4, except a tract of land off the East side, being 330 feet East and West and North and South across said 40 acre tract, all in Section 25, Township 19 North, Range 31 West.

LESS AND EXCEPT THE FOLLOWING DESCRIBED TRACTS:

Parcel One:

Tract A:

A part of the SW 1/4 of the NW 1/4 of Section 25, Township 19 North, Range 31 West, in Benton County, Arkansas, described as beginning at the NE Corner of the SW 1/4 of the NW 1/4 of said Section 25; thence South 1024.44 feet; thence South 89°54'49" West 300 feet; thence South 290.40 feet; thence South 89°54'49" West 30.00 feet along the Centerline of Haxton Road No. 46; thence North 00°06'35" West 1314.84 feet; thence North 89°54'49" East 332.52 feet to the Point of Beginning, and containing 8 acres, more or less. Subject to protective covenants, easements, and rights of way of record, if any.

And Tract B:

A part of the SW 1/4 of the NW 1/4 of Section 25, Township 19 North, Range 31 West in Benton County, Arkansas, described as beginning at a point located South 1314.84 feet and South 89°54'49" West 150 feet from the NE Corner of the SW 1/4 of the NW 1/4 of said Section 25; thence South 89°54'49" West 150 feet along the Centerline of Haxton Road No. 46; thence North 290.40 feet; thence North 89°54'49" East 150 feet; thence South 290.40 feet to the point of beginning, as shown as Tract 2 in Plat Record 31 at Page 133 and as Tract 2 in Plat Record 32 at Page 21.

Also:

An easement for a waterline located in part of the SW 1/4 of the NW 1/4 of Section 25, Township 19 North, Range 31 West, Benton County, Arkansas, more particularly described as follows: Commencing 357 feet South and 270 feet West of the NE Corner of the SW 1/4 of the NW 1/4 of Section 25, Township 19 North, Range 31 West, thence North 12 feet along the East side of a well house; thence West 28.5 feet along the North side of a well house to the true point of beginning; thence South 6° East 693 feet along the West side of a fifteen feet in width easement to a point located 86 feet East of the NW Corner of the above described tract.

Parcel Two:

A part of the SW 1/4 of the NW 1/4 of Section 25, Township 19 North, Range 31 West in Benton County, Arkansas, described as beginning at a point located South 1024.44 feet from the NE Corner of the SW 1/4 of the NW 1/4 of said Section 25; thence South 290.40 feet; thence South 89°54'49" West 150 feet along the centerline of Haxton Road No. 46; thence North 290.40 feet; thence North 89°54'49" East 150 feet to the point of beginning, and containing one acre, more or less; with the South twenty-five feet subject to County Road right-of-way, property is also subject to a fifteen feet in width utility easement running adjacent with the North right-of-way of County Road , as shown as Tract (1-B) on Plat Record 32 at Page 20.

Along with:

An easement for a waterline located in part of the SW 1/4 of the NW 1/4 of Section 25, Township 19 North, Range 31 West, Benton County, Arkansas, more particularly described as follows: Commencing 357 feet South and 270 feet West of the NE Corner of the SW 1/4 of the NW 1/4 of Section 25, Township 19 North, Range 31 West; thence North 12 feet along the east a well house; thence West 28.5 feet along the North side of well house to a point at the NW Corner of waterline easement; thence South 06° East 693 feet along the West side of a fifteen feet in width easement to a point located 64 feet East of the NW Corner of the above-described tract; thence continuing with the West side of easement South 06° East 109 feet; thence East 52 feet along the South side of said easement to a point located 108.40 feet South of the NW of the above described tract. Subject to building restrictions, protective covenants and all easements and rights-of-way, if any.

Parcel Three:

Part of the SE 1/4 of the NW 1/4 of Section 25, Township 19 North, Range 31 West, described as beginning at the SW Corner of said SE 1/4 of the NW 1/4, thence East 80 rods, thence North 25 rods, thence West 80 rods, thence South 25 rods to the place of beginning.

(Descriptions from City of Rogers Ordinance 15-14)

A PART OF THE SW 1/4 OF THE NW 1/4 SECTION 25, T-19-N, R-31-W IN BENTON COUNTY, ARKANSAS, DESCRIBED AS BEGINNING AT A POINT LOCATED SOUTH 1314.84 FEET AND SOUTH 89°54'49" WEST 150 FEET FROM THE NE CORNER OF THE SW 1/4 OF THE NW 1/4 OF SAID SECTION 25; THENCE SOUTH 89°54'49" WEST 150 FEET ALONG THE CENTERLINE OF HAXTON ROAD NO. 46; THENCE NORTH 290.4 FEET; THENCE NORTH 89°54'49" EAST 150 FEET; THENCE SOUTH 290.40 FEET TO THE POINT OF BEGINNING. TCT 2 PLAT 31-133 & PLAT 32-21, 1 ACRE MORE OR LESS.

AND

A PART OF THE SW 1/4 OF THE NW 1/4 OF SECTION 25, T-19-N, R-31-W IN BENTON COUNTY, ARKANSAS, DESCRIBED AS BEGINNING AT THE NE CORNER OF THE SW 1/4 OF THE NW 1/4 OF SAID SECTION 25; THENCE SOUTH 1024.44 FEET; THENCE SOUTH 89°54'49" WEST 300 FEET; THENCE SOUTH 290.40 FEET; THENCE SOUTH 89°54'49" WEST 30 FEET ALONG THE CENTERLINE OF HAXTON ROAD NO. 46; THENCE NORTH 00°06'35" WEST 1314.84 FEET; THENCE NORTH 89°54'49" EAST 332.52 FEET TO THE POINT OF BEGINNING. TCT 1 OF SURVEY 31 -133 & 32-21, 7.96 ACRES MORE OR LESS.

AND

A PART OF THE SW 1/4 OF THE NW 1/4 OF SECTION 25, TOWNSHIP 19 NORTH. RANGE 31 WEST, IN BENTON COUNTY, ARKANSAS, DESCRIBED AS BEGINNING AT A POINT LOCATED SOUTH 1024.44 FEET FROM THE NORTHEAST CORNER OF THE SW 1/4 OF THE NW 1/4 OF SAID SECTION 25; THENCE SOUTH 290.40 FEET; THENCE SOUTH 89 DEGREES 54 MINUTES 49 SECONDS WEST 150 FEET ALONG THE CENTERLINE OF HAXTON ROAD NO. 46; THENCE NORTH 290.40 FEET; THENCE NORTH 89 DEGREES 54 MINUTES 49 SECONDS EAST 150 FEET TO THE POINT OF BEGINNING. THE SOUTH 25 FEET BEING SUBJECT TO COUNTY ROAD RIGHT OF WAY. PROPERTY IS ALSO SUBJECT TO A FIFTEEN FEET IN WIDTH UTILITY EASEMENT RUNNING ADJACENT WITH NORTH RIGHT OF WAY LINE OF COUNTY ROAD, AS SHOWN AS TRACT IB ON PLAT RECORD 32 AT PAG2 20.

ALONG WITH

AN EASEMENT FOR A WATERLINE LOCATED IN PART OF THE SW 1/4 OF THE NW 1/4 OF SECTION 25, TOWNSHIP 19 NORTH, RANGE 31 WEST, BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING 357 FEET SOUTH AND 270 FEET WEST OF THE NORTHEAST CORNER OF THE SW 1/4 OF THE NW 1/4 OF SECTION 25, TOWNSHIP 19 NORTH, RANGE 31 WEST, THENCE NORTH 12 FEET ALONG THE EAST SIDE OF A WELL HOUSE; THENCE WEST 28.5 FEET ALONG THE NORTH SIDE OF WELL HOUSE TO A POINT AT THE NORTHWEST CORNER OF WATERLINE EASEMENT, THENCE SOUTH 06 DEGREES EAST 693 FEET ALONG THE WEST SIDE OF A FIFTEEN FEET IN WIDTH EASEMENT TO A POINT LOCATED 64 FEET EAST OF THE NORTHWEST CORNER OF THE ABOVE DESCRIBED

TRACT; THENCE CONTINUING WITH THE WEST SIDE OF EASEMENT SOUTH 06 DEGREES EAST 109 FEET; THENCE EAST 52 FEET ALONG THE SOUTH SIDE OF SAID EASEMENT TO A POINT LOCATED 108.40 FEET SOUTH OF THE NORTHWEST CORNER OF THE ABOVE DESCRIBED TRACT. SUBJECT TO BUILDING RESTRICTIONS, PROTECTIVE COVENANTS AND ALL EASEMENTS AND RIGHTS OF WAY, IF ANY.

AND

A PART OF THE SOUTHEAST QUARTER (SE ¼) OF THE NORTHWEST QUARTER (NW ¼) OF SECTION TWENTY-FIVE (25), TOWNSHIP NINETEEN NORTH (T-19-N), RANGE THIRTY-ONE WEST (R-31-W) OF THE FIFTH PRINCIPAL MERIDIAN, BENTON COUNTY, ARKANSAS BEING FURTHER DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST (SE) CORNER OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 25, T-19-N, R-31-W; THENCE ALONG THE SOUTH LINE OF SAID 40 ACRE TRACT, N87°31'23"W A DISTANCE OF 1322.43 FEET TO THE SOUTHWEST (SW) CORNER OF SAID 40 ACRE TRACT AND A FOUND COTTON PICKER SPINDLE; THENCE LEAVING SAID SOUTH LINE AND CONTINUING ALONG THE WEST LINE OF SAID 40 ACRE TRACT, N02°32'03"E A DISTANCE OF 412.41 FEET TO A FOUND 1/2 INCH IRON PIN WITH CAP "RAMSEY SURVEY, LS689 & LS 1227"; THENCE LEAVING SAID WESTERN LINE, S87°31'40"E A DISTANCE OF 1320.09 FEET TO THE EAST LINE OF SAID 40 ACRE TRACT AND A FOUND 1/2 INCH IRON PIN WITH CAP "RAMSEY SURV, LS689 & LS 1227"; THENCE ALONG SAID EAST LINE, S02°12'34"W A DISTANCE OF 412.52 FEET TO THE POINT OF BEGINNING. SAID TRACT OR PARCEL OF LAND CONTAINING 12.51 ACRES (545,024 SQ. FT.), MORE OR LESS.



PROPOSED DE-ANNEXATIONS:

NORTH SIDE OF W. WALLIS ROAD

Part of the north 30 feet of Wallis Road as dedicated by Plat of Shadow Valley Phase II, filed in Plat Book 2003 at page 229, and as dedicated by Plat of Shadow Valley Phase 4, filed in Plat Book 2004 at page 629, and being in part of the North-half of the Northeast Quarter (N1/2 NE1/4) of Section 31, Township 19 North, Range 30 West, Benton County, Arkansas, more particularly described as follows:

Commencing at the southeast corner of the North-half of the Northeast Quarter (N1/2 NE1/4) of Section 31; thence North 87°27'54" West along the south line thereof a distance of 952.00 feet to the true Point of Beginning; thence North 87°27'54" West continuing along said south line a distance of 526.67 feet; thence leaving said south line, North 02°37'39" East a distance of 30.00 feet to the southwest corner of Shadow Valley Phase 4; thence South 87°27'54" East along the south line of said Shadow Valley Phase 4 a distance of 526.67 feet to the southwest corner of Shadow Valley Phase II; thence South 87°27'54" East along the south line of Shadow Valley Phase II a distance of 292.19 feet to the projection of the west line of Biltmore Subdivision, filed in Plat Book 2006 at page 180 and 181; thence South 02°22'37" West along the projection of said west line a distance of 30.00 feet to the intersection of said projected west line with the south line of said North-half of the Northeast Quarter (N1/2 NE1/4); thence North 87°27'54" West along said south line a distance of 292.32 feet to the Point of Beginning.

AND

Part of the Fractional Northwest Quarter (Frac. NW1/4) of Section 31, Township 19 North, Range 30 West, Benton County, Arkansas, being more particularly described as follows:

Commencing at the southeast corner of the Fractional North-half of the Northwest Quarter (Frac. N1/2 NW1/4) of Section 31; thence along the south line thereof, North 87°10'05" West a distance of 1608.09 feet to the intersection of said south line with the centerline of Wallis Road; thence leaving said south line and along said centerline the following three (3) courses, South 85°46'44" West 75.60 feet, South 78°11'00" West 94.40 feet, South 70°23'29" West 294.81 feet to the intersection of said centerline with the west line of Section 31; thence leaving said centerline and along said west line, North 02°41'16" East a distance of 21.62 feet; thence leaving said west line, North 70°23'29" East a distance of 287.97 feet; thence North 78°11'00" East a distance of 97.09 feet; thence North 85°46'44" East a distance of 78.16 feet; thence South 87°10'05" East a distance of 47.22 feet to the projection of the west line of Shadow Valley Phase VII, filed in Plat Book 2006 at page 446; thence North 04°04'49" East along said projection of the west line a distance of 12.30 feet to the southwest corner of said Shadow Valley Phase VII; thence South 87°09'16" East along the south line of said Shadow Valley Phase VII a distance of 1922.40 feet to the southeast corner thereof; thence leaving said south line, South 02°37'39" West a distance of 15.74 feet; thence South 86°33'00" East a distance of 516.47 feet; thence South 87°30'07" East a distance of 271.23 feet to the projection of the west line of Shadow Valley Phase 4, filed in Plat Book 2004 at page 629; thence South 02°37'39" West along said projection of the west line a distance of 20.00 feet to the south line of the North-half of the Northeast Quarter (N1/2 NE1/4); thence North 87°30'07" West along the south line thereof a distance of 271.36 feet; thence North 86°33'00" West continuing along said south line a distance of 877.06 feet to the Point of Beginning.

Proposed De-annexation West of 112



EXHIBIT

C

Cave Springs

HWY 112

AVERIE LN

CHATTIN CIR

Cave Springs

BENTON CO

HWY 112

W KETTERING CT

W ELSWORTH ST

W DORCHESTER ST

W CLAVERTON ST

W BANCROFT ST

W ARDMORE ST

HWY 112

W IGLEWORTH CT

S PELOCREST TER

Cave Springs

BENTON CO

BENTONVILLE

HAXTON ROAD

HAXTON ROAD

W PLEASANT GROVE ROAD

BENTON CO

ROBERTS RD

PACE LN

PACE LN

HWY 112

W BR

S BIRCHHAVEN ST

W BROOK

SHADO

BRIGHTON RD

W WALLIS ROAD

PHILLIPS CEMETERY RD

SEARS RD

S MORNINGSTAR RD

SCOGGINS RD

GASTON RD

GASTON RD

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PROMONTORY CT
WATERBURY CT

WATERVISTA CT

VALLEY VIEW RD

SHADOW VALLEY CT

ALTAMONTE CIR

ALTAMONTE DR

ALTAMONTE DR

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ALTAMONTE DR

ALTAMONTE DR

CARRINGTON
TURNBERRY ROAD

VALLEY VIEW ROAD

ALTAMONTE ROAD

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ALTAMONTE RD

LAKE
INVERNESS
COURT

LANSHIRE RD

CHADWICK DRIVE

BALMORAL DRIVE

CHADWICK DRIVE

BALMORAL DRIVE

BRIGHTON RD

BRIGHTON RD

BRIGHTON RD

BRIGHTON RD

INVERNESS
S LANCASTER DR

LANSHIRE COURT

CHADWICK DRIVE

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LANSHIRE COURT

CHADWICK DRIVE

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CHANCERY LN
SLOANE SQUARE

SANDS RD

MARBELLA CT

VISTA BELL DR

BELLMARA CIR

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BELLMARA CIR

SOUTH 67th STREET

CHANCERY LN

SLOANE SQUARE

SANDS RD

MARBELLA CT

VISTA BELL DR

BELLMARA CIR

BELLMARA CIR

BELLMARA CIR

BELLMARA CIR

Rogers

Cave Springs

Proposed De-annexation along Wallis Rd



