



Legislation Text

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AN ORDINANCE ESTABLISHING THE SOUTH CARAWAY ROAD STREET IMPROVEMENT DISTRICT NUMBER 2; AND FOR OTHER PURPOSES. **(NOTE: THE IMPROVEMENT DISTRICT WAS DISSOLVED BY ORD-10:089 ON DECEMBER 21, 2010)**

WHEREAS, parties claiming to be owners of a majority in value as shown by the last county assessment of the property located within the district hereinafter described have filed a petition praying that a street improvement district be established for the purposes hereinafter set forth; and

WHEREAS, after due notice as required by law, the City Council of the City of Jonesboro, Arkansas, held a public hearing to meet and hear all owners of real property in the proposed district desiring to be heard and has found and ruled that the petition contains the signatures of the majority in value of the real property owners within the said district; and

WHEREAS, the aforesaid petition should be approved and that the proposed street improvement district should be established in accordance with Arkansas Code Ann. Section 14-322-01, et seq., and other applicable law of the State of Arkansas.

NOW, THEREFORE, BE IT ORDAINED by the City Council for the City of Jonesboro, Arkansas:

SECTION 1: There is hereby established a street improvement district embracing the following real property with improvements:

A part of the West Half of the West Half of Section 33, Township 14 North, Range 4 East lying South of the Southerly right-of-way of the South frontage road of U.S. Highway 63 Bypass, AND a part of the East Half of the Northeast Quarter and all of the East Half of the Southeast Quarter and all of the Southwest Quarter of the Southeast Quarter of Section 32, all in Township 14 North, Range 4 East of the 5th Principal Meridian; AND, all of Lots 7, 8, 9, 10, 19, 29, 30, 31, 32 and 40 in Foxmeadow Village Third Addition, the same being situated in the West Half of the Northwest Quarter of the Northwest Quarter of the Northwest Quarter of Section 4, Township 13 North, Range 4 East of the 5th Principal Meridian, AND, the South Half of the Northwest Quarter and all of the Southwest Quarter of said Section 4; AND, a part of the West Half of the Northwest Quarter of Section 9, Township 13 North, Range 4 East and a part of the Northwest Quarter of the Southwest Quarter of said Section 9 lying North and West of the Northerly right-of-way of Arkansas Highway 1, AND, a part of the Northeast Quarter and a part of the Southeast Quarter of Section 5, Township 13 North, Range 4 East of the 5th Principal Meridian, and all of Lots 1 and 8 of Hurst Acres, Jonesboro, Craighead County, Arkansas, the same being situated in the East Half of the Northeast Quarter of the Southeast Quarter of said Section 5, and all of Lots 1, 2, 3 and 4 of Country View Homesites, Jonesboro, Arkansas, the same being situated in the East Half of the Southeast Quarter of the Southeast Quarter of said Section 5; AND all of Lots E, H and Q and the East 200 feet of Lot F and the East 400 feet of Lot G, all in the Caldwell's Subdivision of a part of the Northeast Quarter of Section 8, Township 13 North, Range 4 East, and all of Lot 5 and 11 in Block A and all of Lots 7, 8, and 16 in Block B and all of Lot 9 in Block C of the Caraway Acres Subdivision, Craighead County, Arkansas, and all that part of the Southeast Quarter of Section 8, Township 13 North, Range

4 East of the 5th Principal Meridian lying North and West of the Northerly right-of-way of Arkansas Highway 1, all in Craighead County, Arkansas, more particularly described as follows: From the North-east Corner of the Northwest Quarter of the Northwest Quarter of said Section 33, thence South 00° 46' West 63.8 feet to a point on the Southerly right-of-way of U.S. Highway 63 Bypass the point of beginning; continue thence South along the East line of the West Half of the Northwest Quarter of said Section 33 to the Southeast Corner thereof, continue thence South along the East line of the Northwest Quarter of the Southwest Quarter of said Section 33 to the Northeast Corner of Lot 16 in Block A of Caraway Place, Phase One, Jonesboro, Arkansas, thence South 89°53' 38" West 1002.43 feet to the Southwest Corner of Lot 1 Block B of Southeast Quarter and all of the Southwest Quarter of the Southeast Quarter of Section 32, all in Township 14 North, Range 4 East of the 5th Principal Meridian; AND, all of Lots 7, 8, 9, 10, 19, 20, 29, 30, 31, 32, and 40 in Fox Meadow Village Third Addition, the same being situated in the West Half of the Northwest Quarter of the Northwest Quarter of Section 4, Township 13 North, Range 4 of the 5th Principal Meridian, AND, the South Half of the Northwest Quarter and all of the Southwest Quarter of said Section 4; AND, a part of the West Half of the Northwest Quarter of Section 9, Township 13 North, Range 4 East and a part of the Northwest Quarter of the Southwest Quarter of said Section 9 lying North and West of the Northerly right-of-way of Arkansas Highway 1, AND, a part of the Northeast Quarter and a part of the Southeast Quarter of Section 5, Township 13 North, Range 4 East of the 5th Principal Meridian, and all of Lots 1 and 8 of Hurst Acres, Jonesboro, Craighead County, Arkansas, the same being situated in the East Half of the Northeast Quarter of the Southeast Quarter of said Section 5, and all of Lots 1, 2, 3 and 4 of Country View Homesites, Jonesboro, Arkansas, the same being situated in the East Half of the Southeast Quarter of the Southeast Quarter of said Section 5; AND, all of Lots E, H and Q and the East 200 feet of Lot F and the East 400 feet of Lot G, all in the Caldwell's Sub-division of a part of the Northeast Quarter of Section 8, Township 13 North, Range 4 East, and all of Lots 5 and 11 in Block A and all of Lots 7, 8 and 16 in Block B and all of Lots 9 in Block C of the Caraway Acres Subdivision, Craighead County, Arkansas, and all that part of the Southeast Quarter of Section 8, Township 13 North, Range 4 East of the 5th Principal Meridian lying North and West of the Northerly right-of-way of Arkansas Highway 1, all in Craighead County, Arkansas, more particularly described as follows; from the Northeast Corner of the Northwest Quarter of the Northwest Quarter of said Section 33, thence South 00°46' West 63.8 feet to a point on the Southerly right-of-Way of U.S. Highway 63 Bypass, the point of beginning; continue thence South along the East line of the West Half of the Northwest Quarter of said Section 33 to the Southeast Corner thereof, continue thence South along the East line of the Northwest Quarter of the Southwest Quarter of said Section 33 to the Northeast Corner of Lot 16 in Block a of Caraway Place, Phase One, Jonesboro, Arkansas, thence South 89°53' 38" West 1002.43 feet along the North line of said Block A to the Northwest Corner thereof, thence South 00°04' 19" East 401.69 feet to the Southwest Corner of Lot 1 Block B of Caraway Place aforesaid, thence North 89°36' 41" East 342.19 feet along the South line of said Block B to a point, thence South 00°06' 42" East 20.00 feet to a point on the South line of Lot 6, Block B of said Caraway Place, thence South along the East line of the West Half of the Southwest Quarter of the Southwest Quarter of said Section 33, to the Southeast Corner thereof, thence West along the North line of the Foxmeadow Village Addition to the Northeast Corner of Lot 40 of Foxmeadow Village Third Addition, thence South 00°29' 00" East 180 feet along the East line of said Lot 40 to a point on the Southerly right-of-way Oakbrook Drive, thence North 89°31' East 17.74 feet along said right-of-way to the Northeast Corner of Lot 7 of Foxmeadow Village Third Addition aforesaid, thence South along the East lines of Lots 7, 8 and 9 of said Foxmeadow Village Third Addition to the Southeast Corner of said Lot 9, thence West along the south line of said Lot 9 to the Northeast Corner of Lot 10 of Foxmeadow Village Third Addition aforesaid, thence South along the East line of Lots 10, 19, 20 and 29 of Foxmeadow Village Third Addition to the Southeast Corner of said Lot 29, thence East along the North line of Lot 30 of Foxmeadow Village Third Addition to the Northeast Corner thereof, thence South along the East line of Lots 30, 31, and 32 of Foxmeadow Village Third Addition to the South-east Corner of said Lot 32, continue thence South some 43 feet, more or less, to a point on the North line of the South Half of the Northwest Quarter

of Section 4 Township 13 North, Range 4 East, thence East along the North line of the South Half of the Northwest Quarter of said Section 4 to the Northeast Corner thereof, thence South along the East of line of the Southwest Quarter of said Section 4 to the Southwest Corner thereof, thence South 61.05 feet to a point on the Southerly right-of-way of Arkansas Highway 1B, thence East 228.71 feet to a point, thence South 208.71 feet to a point, thence South 61°50' East 305 feet to a point, thence South 52°42' East 979 feet to a point, thence South 00°08' East 25 feet to a point, thence South 89°28' West 635 feet to a point, thence South 03°37' West 499.5 feet to a point, thence South 89°53' East 562.7 feet to a point, thence South 89°53' East 562.7 feet to a point, thence South 14°26' West 79.3 feet to a point on the westerly right-of-way of Arkansas Highway One, thence South 31°14' West 394.0 feet along said right-of-way to a point, thence South 33° 08' West 621.3 feet along said right-of-way to a point, continue thence Southwesterly along said Westerly right-of-way some 246.6 feet, more or less, to a point on the South line of the Northwest Quarter of Section 9, Township 13 North, Range 4 East, said point lying East of the Northwest Corner of the Northwest Quarter of the Southwest Quarter of said Section 9 a distance of 494.2 feet, thence South 27°16' West 200.5 feet along said westerly right of way to a point, continue thence South 27°16' West 159.5 feet along said Westerly right-of-way to a point, continue thence South 27°16' West 575.9 feet along said Westerly right-of-way to a point on the East line of the Southeast Quarter of Section 8. Township 13 North, Range 4 East, said point lying South 771.5 feet along the East line of said Section 8 from the Northeast Corner of the Southeast Quarter thereof, continue thence South 27°16' West 196.4 feet along said right-of-way to a point, thence South 27°50' West 500.0 feet along said right-of-way to a point, thence South 26°42' West 500.0 feet along said right-of-way to a point, thence South 29°11' West 300.2 feet along said right-of-way to a point, thence South 24°24' West 200.2 feet along said right-of-way to a point, thence South 30°51' West 40.8 feet along said right-of-way to a point, thence South 13°14' West 103.1 feet along said right-of-way to a point, thence South 34°23' 30" West 28.5 feet along said right-of-way to a point on the south line of the Southeast Quarter of said Section 8, thence West 165.1 feet along the South line of the Southeast Quarter of the Southeast Quarter of said Section 8 to the Southwest Corner thereof, continue thence West along the South line of the Southwest Quarter of the Southeast Quarter of said Section 8 to the Southwest Corner thereof, thence North along the West line of the Southeast Quarter of said Section 8 to the Northwest Corner thereof, thence East along the North line of the Southeast Quarter of said Section 8 to the Southwest Corner of Lot 9 of Block C of Caraway Acres Subdivision, Craighead County, Arkansas, thence North along the West line of said Lot 9 to a point on the North right-of-way of Blue Spruce Lane, thence West along said right-of-way to the Southwest corner of Lot 16 of Block B of said Caraway Acres Subdivision, thence North along the West line of Lots 16, 8 and 7 of Block B of said Caraway Acres Subdivision to a point on the North right-of-way of Alicia Avenue, thence East along said right-of-way to the Southwest Corner of Lot 11 of Block A of said Caraway Acres Sub- division, thence North along the West line of Lots 11 and 5 of Block A of said Caraway Acres Subdivision to a point on the North right-of-way of Belle Circle, thence West along the South line of Lot Q of Caldwell's Subdivision of a part of the Northeast Quarter of Section 8, Township 13 North, Range 4 East to the Southwest Corner thereof, thence North along the West line of said Lot Q to a point on the North right of way of Pine Valley Lane, thence West along the South line of Lot H of said Caldwell's Sub-division to the Southwest Corner thereof, thence North along the West line of said Lot H to the Northwest Corner thereof, thence East along the North line of said Lot H some 300 feet, more or less, to a point, thence North 40 feet across a platted public street to the Southwest Corner of the East 400 feet of Lot G of said Caldwell's Subdivision, thence North along a line 400 feet West of a parallel to the east line of said Lot G to a point on the North line thereof, continue thence North 40 feet to a point on the North right-of-way of a platted public street thence East along the South line of Lot F of said Caldwell's Sub-division some 200 feet, more or less, to the Southwest Corner of the East 200 feet of said Lot F, thence North along a line 200 feet West of a parallel to the East line of said Lot F to a point on the North line thereof, thence West some 50 feet, more or less, to the Southwest Corner of Lot E of said Caldwell's Subdivision, thence North along the West line of said

Lot E to the Northwest Corner thereof, continue thence North some 55 feet, more or less, to a point on the South line of Southeast Quarter of Section 5, Township 13 North, Range 4 East, thence West some 50 feet, more or less, along the South line of said Section 5 to a point lying 330 feet West of the Southeast Corner thereof, thence North 330 feet to a point, thence East some 105 feet, more or less, to the Southwest Corner of Lot 1 of the Country View Homesites, Jonesboro, Arkansas, thence North along the West line of Lots 1 and 2 of said Country View Homesites to the Northwest Corner of said Lot 2, continue thence North some 62 feet, more or less, to a point on the Northerly right-of-way of Country View Drive, thence Northwest along said right-of-way to the Southwest Corner of Lot 3 of said Country View Homesites, thence North along the West line of Lot 3 to the Northwest Corner thereof, continue thence North along the East line of Lot 6 of said Country View Homesites to the Southwest Corner of Lot 4 of said Country View Homesites, continue thence North along the West line of said Lot 4 to the Northwest Corner thereof, thence East some 130.5 feet, more or less, along the North line of said Lot 4 to a point lying 214.5 feet West of the Southeast Corner of the North-east Quarter of the Southeast Quarter of said Section 5, thence North 363 feet along a line 214.5 feet West of and parallel to the East line of the Northeast Quarter of the Southeast Quarter of said Section 5, thence West 23.3 feet, more or less, to the Southwest Corner of Lot 1 of Hurst Acres, Jonesboro Craighead County, Arkansas, thence North along the West line of said Lot 1 to the Northwest Corner thereof, thence West along the North line of Lot 2 of said Hurst Acres to a point lying South of the Southwest Corner of Lot 8 of said Hurst Acres, thence North some 60 feet, more or less, to the Southwest Corner of said Lot 8, continue thence North along the West line of said Lot 8 to the Northeast Corner thereof, thence West some 782.2 feet along the North line of said Hurst Acres to the Northwest Corner thereof, thence South along the West line of said Hurst Acres to the Southwest Corner thereof, thence South 88°26' West 615.2 feet to a point, thence North 00°09' West 210 feet to a point, thence South 88°03' West 440.0 feet to a point on the Easterly right-of-way of Arkansas Highway 1B, thence Northerly along the East right-of-way of said Highway 1B some 762.1 feet to a point on the North line of the Southeast Quarter of said Section 5, continue thence North some 323.6 feet, more or less, along said right-of-way to a point, thence North 88°32' East 705 feet to a point, thence North 00°12' West 210 feet to a point, North 88°12' East 399.2 feet to a point, thence North 1116.4 feet to a point, thence West 732.6 feet to a point, thence Northeasterly along the East boundary line of an existing ditch to a point which lies 1386 feet West of the Northeast Corner of said Section 5, thence West along the South line of Section 32, Township 14 North, Range 4 East to the Southwest Corner thereof, thence North along the West line of the Southwest Quarter of the Southeast Quarter of said Section 32 to the Northwest Corner thereof, thence East along the North line of the Southwest Quarter of the Southeast Quarter of said Section 32 to the Northeast Corner thereof, thence North along the West line of the Northeast Quarter of the Southeast Quarter of said Section 32 to the Northwest Corner thereof, continue thence North some 1180 feet, more or less, along the West line of the Southeast Quarter of the Northeast Quarter of said Section 32 to a point in the centerline of Higginbottom Creek, thence Easterly along said centerline of Higginbottom Creek, as follows North 80°23' East 85.9 feet, thence South 40°04' East 114.4 feet, thence South 81°49' East 80.2 feet, thence North 83°53' East 306 feet, thence North 83°29' East 322.8 feet. thence South 89°47' East 116.7 feet along the centerline of said Higginbottom Creek to a point, thence North 00°01, West 335.0 feet to a point, continue thence North 00° 01' West 93.6 feet to a point, thence South 89°07 West 71.27 feet to a point, thence North 01°09' East 252.45 feet to a point, thence North 89°56' East 45.00 feet to a point on the Southerly right-of-way of US Highway 63 Bypass, continue thence North 89° 56' East 135.96 feet along said right-of-way to a point, thence South 83°55' East 171.50 feet along said right-of-way to a point on the Westerly right-of-way of Caraway Road, thence East some 125 feet, more or less, to a point marking the intersection of the South right-of-way of US Highway 63 Bypass with the Easterly right-of-way of Caraway Road, thence North 58°46' East 47.2 feet along the Southerly right-of-way of US Highway 63 Bypass to a point, thence North 86°00' East 240.8 feet along said right-of-way to a point, thence North 62°42' East 85.0 feet along said right-of-way to a point, thence North 42°24' East 88.5 feet along said right-of-way to a

point on the South line of the Northwest Quarter of the Northwest Quarter of the Northwest Quarter of Section 33, Township 14 North, Range 4 Est, thence East some 316 feet, more or less, along the South line of the North Half of the Northwest Quarter of the Northwest Quarter of said Section 33 to a point, thence North some 566 feet, more or less, to a point on the South right-of-way of US Highway 63 Bypass, thence North 70°31' East 83.9 feet along said right-of-way to a point, thence North 89°48' East 457.1 feet along said right-of-way to the point of beginning, less and except:

EXEMPTION NUMBER ONE:

A part of the Northwest Quarter of the Northwest Quarter of Section 33, Township 14 North, Range 4 East of the 5th Principal Meridian in Craighead County, Arkansas more particularly described as follows: Beginning at the Southwest Corner of the Northwest Quarter of the Northwest Quarter of said Section 33, thence North 180.0 feet to a point, thence North 89°18' East 330 feet to the point of beginning; continue thence North 120 feet to a point, thence South 89°18' West 100 feet to a point, thence South 120 feet to the point of beginning.

EXEMPTION NUMBER TWO:

A part of the Northwest Quarter of the Northwest Quarter of Section 33, Township 14 North, Range 4 East of the 5th Principal Meridian in Craighead County, Arkansas, more particularly described as follows: From the Southwest Corner of the Northwest Quarter of the Northwest Quarter of said Section 33, thence East 363 feet along the South line of the Northwest Quarter of the Northwest Quarter of said Section 33 to the point of beginning; continue thence East 67 feet to a point, thence North 00°42' West 120 feet to a point, thence West 100 feet parallel to the South line of the Northwest Quarter of the Northwest Quarter of said Section 33 to a point, thence South 00°42' East 76.2 feet to a point, thence South 37°42' East 54.85 feet to the point of beginning.

EXEMPTION NUMBER THREE:

From the Southwest Corner of the Southeast Quarter of the Northeast Quarter of Section 32, Township 14 North, Range 4 East of the 5th Principal Meridian in Craighead County, Arkansas, thence South 89°48' East 42.5 feet along the South line of the Southeast Quarter of the Northeast Quarter of said Section 32 to the point of beginning; thence North 02°51' East 100 feet to an existing fence, thence North 01°44' East 48 feet along said fence to a point, thence North 04°43' East 39.2 feet along said fence to a point, thence North 02°19' East 13.1 feet along said fence to a point, thence South 89°48' East 206.3 feet to a point, thence South 200 feet to a point on the South line of the Southeast Quarter of the Northeast Quarter of said Section 32 to a point, thence North 89°48' West 210 feet to the point of beginning.

That the purpose of the establishment of said improvements district shall be to pay for the necessary needed improvements to South Caraway Road along with all necessary and incidental thereto, including, but not limited to, the paving of said road and a sufficient amount as determined by the Board of Commissions shall be assessed against the real property within the district as allowed by applicable state law as set forth hereinafter.

SECTION 2: Said street improvement district shall be known as South Caraway Road Street Improvement District No. 2. That Bruce Rhiddlehoover, Clarence Hurst and Dan Murphy shall be and are hereby appointed Commissioners to serve on the Board of Commissioners with authority to make assessments and carry out the improvements provided hereinabove.

SECTION 3: That the property owners within the district shall pay the amount of assessments in one lump sum payment or in five equal annual installments with interest per annum as the rate of 12%. That the first annual

installment shall be collected by the county collector along with the general taxes as provided by law and that the second and subsequent annual installment shall be plaid at a time provided by law for paying of general taxes with regards to real property.

SECTION 4: Due to the fact that South Caraway Road is an important traffic artery to the City of Jonesboro, and that said road is dangerous to the public at large in its present condition, and emergency is hereby declared to exist and, therefore, this ordinance being necessary for the preservation of the public peace, health and safety, shall take effect immediately and be in full force from and after its passage.

PASSED AND ADOPTED this August 6, 1990.