

Resolution no. 2002-001.

A Resolution by the Town of Fountain Lake Arkansas establishing the conditions for new streets to considered eligible for town acceptance as public streets and to be eligible for maintenance by the town of Fountain Lake, Garland County, Arkansas.

WHEREAS the Council of the Town of Fountain Lake, Arkansas, desires to establish the conditions for new or existing roads, driveways or streets that located in private developments within the corporate boundaries of the said town of Fountain Lake, Arkansas, is necessary for the orderly growth of said town.

WHEREAS, no streets, roads, trails, lanes, or diveways shall be eligible for town maintenance until the same shall be accepted by council vote of the town of Fountain Lake, Arkansas

THEREFORE, be it ordained by the Town council of City of Fountain Lake, Arkansas by resolution this 25 h day of April, 2002

Approved: Roy Hickman
Roy Hickman, Mayor

Attested: Ivan Lopes
Ivan Lopes, Clerk-Recorder

Notary _____

My commission expires. _____

THE TOWN OF FOUNTAIN LAKE, ARKANSAS

**IN THE MATTER OF THE DETACHMENT
OF CERTAIN LANDS FROM THE BOUNDARIES
OF THE TOWN OF FOUNTAIN LAKE, ARKANSAS**

0001

RESOLUTION

WHEREAS, HOT SPRINGS VILLAGE PROPERTY OWNERS' ASSOCIATION (HSVPOA), a private community located on a portion of the boundary of the now incorporated Town of Fountain Lake, Arkansas, said private community having its own Public Works Department, utility systems, security and fire services, etc., and not being in need of any services or facilities of the town; and

WHEREAS, the incorporators of the Town of Fountain Lake, Arkansas never intended to include any of the lands within the boundaries of Hot Springs Village as a part of their municipality and such inclusion was inadvertent and mistaken; and

WHEREAS, Hot Springs Village Property Owners' Association has filed with this governing body a Petition requesting a Resolution from the Town Council abandoning and detaching certain described lands as set out in the legal descriptions submitted herein on Exhibit "A", together with plats of the location of said properties; and

WHEREAS, representatives of this council have verified that the lands requested to be detached are the property of Hot Springs Village Property Owners' Association or are lands located within the said private development; and

WHEREAS, there are no residents in the lands to be detached and abandoned and the lands are all on the boundary of the municipality;

NOW, THEREFORE, BE IT RESOLVED, BY THE TOWN COUNCIL OF THE TOWN OF FOUNTAIN LAKE, ARKANSAS:

That the boundary of the Town of Fountain Lake, Arkansas should be, and is hereby, modified to abandon and detach all lands reflected in the legal descriptions attached hereto and made a part hereof and noted as the "LESS AND EXCEPT" properties, said lands being lands owned by Hot Springs Village Property Owners' Association and/or located within said private community and which should not be within the boundaries of the Town of Fountain Lake, Arkansas;

Furthermore, that the newly described legal boundaries of the Town of Fountain Lake, Arkansas should be delivered to the Garland County Judge and said detachment and abandonment spread upon the records of said Garland County, Arkansas;

Furthermore, that the new legal boundaries of the Town of Fountain Lake, Arkansas should be delivered to the Arkansas Secretary of State and spread upon the records of the State of Arkansas;

Furthermore, that the newly elected and acting officials of the Town of Fountain Lake, Arkansas are hereby authorized and directed to take any and all other necessary and legal steps to carry out this detachment of lands.

THIS RESOLUTION adopted by the Town Council of the Town of Fountain Lake, Arkansas on this ___ day of December, 1999.

12-7-99

Roy Hickman

ROY HICKMAN, Mayor

ATTEST

Betty Taylor

5-1-2003

EXHIBIT "A"

Township 1 South, Range 18 West, Section 20: E $\frac{1}{2}$ SE $\frac{1}{4}$; NW SE, NE SW; E $\frac{1}{2}$ NW $\frac{1}{4}$; W $\frac{1}{2}$ NE $\frac{1}{4}$; Section 22: S $\frac{1}{2}$ S $\frac{1}{2}$; E $\frac{1}{2}$ NW SW; S $\frac{1}{2}$ SW NW; Section 24: S $\frac{1}{2}$ SE $\frac{1}{4}$; Section 25: NE $\frac{1}{4}$; S $\frac{1}{2}$ NW $\frac{1}{4}$; Section 26: NW $\frac{1}{4}$; S $\frac{1}{2}$ NE $\frac{1}{4}$; pt. N $\frac{1}{2}$ NE $\frac{1}{4}$ "south of river" Section 27: (all) Section 28: E $\frac{1}{2}$ E $\frac{1}{2}$; North $\frac{1}{2}$ NW $\frac{1}{4}$; NW NE; Section 29: NE NE; Section 33: NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$; Section 34: N $\frac{1}{2}$ N $\frac{1}{2}$; SE $\frac{1}{4}$ S $\frac{1}{2}$ NE $\frac{1}{4}$; SE NW; Section 35: W $\frac{1}{2}$ NW NW in Garland County, Arkansas.

LESS AND EXCEPT:

TRACT A: A part of the North Half of the Northwest Quarter of Section 26, Township 1 South, Range 18 West, Garland County, Arkansas, described as follows: Beginning at the Northeast corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 26, and run thence North 87 degrees 50 minutes 36 seconds West along the North line of said NW $\frac{1}{4}$ NW $\frac{1}{4}$, 317.00 feet; thence South 01 degree 29 minutes 49 seconds West 1397.09 feet to the North Right-of-Way of Arkansas State Highway No. 5; thence South 80 degrees 38 minutes 42 seconds East along the said North Right-of-Way 702.00 feet; thence North 01 degree 44 minutes 58 seconds East 855.01 feet; thence South 87 degrees 50 minutes 36 seconds East 410.00 feet to the West line of a road; thence North 01 degree 44 minutes 58 seconds East along the said West line of road, 419.99 feet; thence North 87 degrees 50 minutes 36 seconds West, 410.00 feet; thence North 01 degree 44 minutes 58 seconds East, 210.00 feet to the North line of said N $\frac{1}{2}$ NW $\frac{1}{4}$; thence North 87 degrees 50 minutes 36 seconds West along the said North line, 385.00 feet to the Point of Beginning.

TRACT B: A part of the Northeast Quarter of Section 26, Township 1 south, Range 18 West, Garland County, Arkansas, being located on the North side of Arkansas State Highway No. 5, described as follows: Beginning at the Northwest corner of the said NE $\frac{1}{4}$ of Section 26, and run thence South 02 degrees 09 minutes 13 seconds West along the West line of said NE $\frac{1}{4}$, 1321.27 feet; thence South 87 degrees 46 minutes 54

seconds East, 561.64 feet; thence South 02 degrees 28 minutes 29 seconds West, 123.59 feet; thence South 87 degrees 49 minutes 19 seconds East, 344.94 feet; thence North 02 degrees 29 minutes 49 seconds East, 525.00 feet; thence North 87 degrees 49 minutes 19 seconds West, 42.99 feet; thence North 20 degrees West, 219.00 feet; thence North 10 degrees 20 minutes West, 210.00 feet; thence South 78 degrees East, 200.00 feet to a creek; thence along said creek to a point located 1600.00 feet South of the Northeast corner of said Section 26; thence North 02 degrees 09 minutes 24 seconds East along the East line of said Section 26, 1600.00 feet to the Northeast corner of said Section 26; thence North 87 degrees 50 minutes 36 seconds West along the North line of said Section 26, 1816.72 feet; thence South 10 degrees 47 minutes 23 seconds East, 112.06 feet; thence South 65 degrees 02 minutes 38 seconds West, 181.16 feet; thence North 53 degrees 08 minutes 14 seconds West, 257.42 feet; thence North 40 degrees 41 minutes 01 seconds West, 62.06 feet to the North line of said Section 26; thence North 87 degrees 49 minutes 03 seconds West, 470.57 feet to the Point of Beginning.

TRACT C: All of the Northeast Quarter, also the North Half of the Southeast Quarter, also the North Half of the Northwest Quarter, also the Southeast Quarter of the Northwest Quarter, also the Northeast Quarter of the Southwest Quarter and part of the Southwest Quarter of the Northwest Quarter and part of the Northwest Quarter of the Southwest Quarter all in Section 22, Township 1 South, Range 18 West, Garland County, Arkansas, described as follows: Beginning at the Northwest corner of said Section 22 and run thence South 05 degrees 03 minutes 20 seconds West along the West line of said Section 22, 3900.79 feet; thence South 76 degrees 04 minutes 29 seconds East along the South line of Rincon Subdivision, 659.16 feet; North 05 degrees 24 minutes 42 seconds East along the East line of said Rincon Subdivision, 1597.33 feet; thence North 84 degrees 27 minutes 24 seconds West, 88.20 feet; thence North 02 degrees 10 minutes 04 seconds East, 670.68 feet to the South line of Casino Subdivision; thence South 85 degrees 26 minutes 24 seconds East along the South line of said Casino Subdivision, 594.01 feet; thence South 02 degrees 16 minutes 06 Seconds West, 680.80 feet; thence South 84

degrees 27 minutes 24 seconds East, 150.00 feet to the West line of Remolino Subdivision; thence South 05 degrees 33 minutes 13 seconds West along the West line of Remolino Subdivision, 1627.10 feet; thence South 89 degrees 38 minutes 01 seconds East along the South line of said Remolino Subdivision and Cardenal Subdivision, 4060.03 feet to the East line of said Section 22; thence North 03 degrees 58 minutes 08 seconds East along the East line of said Section 22, 3973.10 feet to the Northeast corner of said Section 22; thence North 87 degrees 50 minutes 17 seconds West along the North line of said Section 22, 5280.00 feet, more or less, to the Point of Beginning.