ORDINANCE NO. 99-05

AN ORDINANCE AMENDING ATKINS MUNICIPAL CODE, CHAPTER 14.04 REZONING CERTAIN PROPERTY IN THE CITY OF ATKINS, ARKANSAS AND FOR OTHER PURPOSES.

BE it ordained by the City Council of the City of Atkins, Arkansas:

Section I. That the property described as follows:

A PART OF THE SOUTH HALF (S1/2) OF THE NORTHWEST QUARTER (NW1/4) OF SECTION 19, TOWNSHIP 7 NORTH, RANGE 18 WEST, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 1425.5 FEET EAST AND 450 FEET SOUTH OF THE NORTHWEST (NW) CORNER OF SAID SOUTH HALF (S1/2) OF THE NORTHWEST QUARTER (NW1/4) RUNNING THENCE SOUTH 20 FEET MORE OR LESS TO THE MISSOURI PACIFIC RIGHT-OF-WAY; THENCE EAST ALONG SAID MISSOURI-PACIFIC RIGHT-OF-WAY 291 FEET; THENCE NORTH 457 FEET MORE OR LESS TO THE SOUTH RIGHT-OF-WAY OF U.S. HIGHWAY NO. 64 AS NOW LOCATED; THENCE WEST 194 FEET; THENCE SOUTH 450 FEET; THENCE WEST 97 FEET TO THE POINT OF BEGINNING. SUBJECT TO ANY RIGHTS-OF-WAY, DEDICATIONS, EASEMENTS OR MINERAL RESERVATIONS OF RECORD.

Is hereby rezoned from R-2 to C-2 by amendment to the Atkins Municipal Code, Chapter 14.04 of the City of Atkins, Arkansas.

Section II. An emergency is hereby declared to exist and this ordinance being necessary for the immediate protection of the public peace, health and safety shall take effect immediately upon it's passage and approval.

Dated this 11TH day of MAY, 1999.

JERRY DON BARRETT, MAYOR

ATTEST:

BRENDA GRAVES, CITY CLERK

JOHNNY JACKSON/PROPERTY LOCATED ON WEST MAIN

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

THAT I, JIMMY D. BURNETT AND SHARON BURNETT, HUSBAND AND WIFE, hereinafter called GRANTORS for and in consideration of the sum of One Dollar ($1.00) and other good and valuable consideration paid by JOHNNY'S SHOP AND TRUCK SALES A LIMITED PARTNERSHIP, the receipt of which is hereby acknowledged, do hereby Grant, Bargain, Sell and Convey unto JOHNNY'S SHOP AND TRUCK SALES A LIMITED PARTNERSHIP, hereinafter called GRANTEES, and unto their heirs and assigns forever, the following described property situated in POPE COUNTY, Arkansas, to-wit:

A PART OF THE SOUTH HALF (S1/2) OF THE NORTHWEST QUARTER (NW1/4) OF SECTION 19, TOWNSHIP 7 NORTH, RANGE 18 WEST, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 1425.5 FEET EAST AND 450 FEET SOUTH OF THE NORTHWEST (NW) CORNER OF SAID SOUTH HALF (S1/2) OF THE NORTHWEST QUARTER (NW1/4) RUNNING THENCE SOUTH 20 FEET MORE OR LESS TO THE MISSOURI PACIFIC RIGHT-OF-WAY; THENCE

Continued

TO HAVE AND TO HOLD the same unto the GRANTEES and unto their heirs and assigns forever, with all appurtenances thereunto belonging. And we hereby covenant with the GRANTEES that we will forever warrant and defend the title to the property against all lawful claims whatever.

And we, the GRANTORS, JIMMY D. BURNETT AND SHARON BURNETT, HUSBAND AND WIFE for and in consideration of the said sum of money, do hereby release and relinquish unto the said GRANTEES all our rights of dower, curtesy and homestead in and to the said lands.

WITNESS our hands this 1st day of April, 1999.

Jimmy D. Burnett
JIMMY D BURNETT

Sharon Burnett
SHARON BURNETT

ARKANSAS DOCUMENTARY $49.50 0154499

STATE OF ARKANSAS)
) SS
COUNTY OF POPE)

BE IT REMEMBERED, that on this day came before the undersigned, a Notary Public within and for the County and State aforesaid, duly commissioned and acting, JIMMY D. BURNETT AND SHARON BURNETT, HUSBAND AND WIFE, to me well known as the GRANTORS in the foregoing Deed, and stated that they had executed the same for the consideration and purposes therein mentioned and set forth.

WITNESS my hand and seal as such Notary Public this 1st day of April, 1999.

My Commission Expires:

_____

Deborah E. Burgess
Notary Public

DEBORAH E. BURGESS NOTARY PUBLIC MY COMMISSION EXPIRES: MARCH 30, 2008

I hereby certify under penalty of false swearing that at least the legally correct amount of documentary stamps have been placed on this instrument.

HERITAGE TITLE
Grantee or Agent

PO BOX 393 ATKINS AR 72823
Grantee's Address

Prepared by: HERITAGE TITLE & CLOSING CO.

This instrument prepared by
Heritage Title & Closing, Inc.
700 West B Street
Russellville, AR 72801

29F-508

CONTINUATION OF LEGAL DESCRIPTION

EAST ALONG SAID MISSOURI-PACIFIC RIGHT-OF-WAY 291 FEET; THENCE NORTH 457 FEET MORE OR LESS TO THE SOUTH RIGHT-OF-WAY OF U.S. HIGHWAY NO. 64 AS NOW LOCATED; THENCE WEST 194 FEET; THENCE SOUTH 450 FEET; THENCE WEST 97 FEET TO THE POINT OF BEGINNING. SUBJECT TO ANY RIGHTS-OF-WAY, DEDICATIONS, EASEMENTS OR MINERAL RESERVATIONS OF RECORD.

CLERKS CERTIFICATE OF RECORD
STATE OF ARKANSAS - COUNTY OF POPE
I, JUANITA BARBER, Circuit Clerk and Recorder of the County aforesaid do hereby certify that this instrument was filed for record the 5th day of April, 1999 at 9:18 o'clock A.M. and the same is now duly recorded in Record Book 29F Pages 508-509 Witness my hand and seal of said court this the 5th day of April 1999
Juanita Barber - Circuit Clerk and Recorder
By Terri C. Tucker

29F-509