## Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1	State of Arkansas	As Engrossed: H2/7/05 H2/15/05	
2	85th General Assembly	A Bill	
3	Regular Session, 2005		HOUSE BILL 1349
4			
5	By: Representatives Overbey	, Medley, Pyle, Matayo	
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7			
8	For An Act To Be Entitled		
9	AN ACT TO CLARIFY THE IDENTITY OF THE ANNEXING		
10	MUNICIPALITY WHEN AN UNINCORPORATED AREA IS		
11	SURROUNDED BY TWO (2) MUNICIPALITIES; AND FOR		
12	OTHER P	URPOSES.	
13			
14	Subtitle		
15	AN ACT TO CLARIFY THE IDENTITY OF THE		
16	ANNEXING MUNICIPALITY WHEN AN		
17	UNINCORPORATED AREA IS SURROUNDED BY TWO		
18	(2) 1	MUNICIPALITIES.	
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21	BE IT ENACTED BY THE O	GENERAL ASSEMBLY OF THE STATE OF A	ARKANSAS:
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23	SECTION 1. Arkansas Code § 14-40-501 is amended to read as follows:		
24	14-40-501. Auth	nority - Exceptions.	
25	(a)(1) Whenever	r the incorporated limits of a mur	nicipality have
26	completely surrounded an unincorporated area, the governing body of the		
27	municipality may propose an ordinance calling for the annexation of the land		
28	surrounded by the municipality.		
29	(2)(A) If the incorporated limits of two (2) municipalities have		
30	completely surrounded an unincorporated area, the governing body of the		
31	municipality with city limits contiguous to more than fifty percent (50%) of		
32	the surrounded unincorporated area may propose an ordinance calling for the		
33	annexation of the land surrounded by the municipalities.		
34	<u>(B)</u>	For purposes of subdivision (a)	(2) of this section,
35	the unincorporated area shall be less than or equal to eighty (80) acres and		
36	have fewer than five (5) landowners.		

02-15-2005 08:43 KLL042

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1	(2) (3) The ordinance will provide a legal description of the
2	land to be annexed and describe generally the services to be extended to the
3	area to be annexed.
4	(b)(l) The unincorporated area to be annexed shall comply with the
5	standards for lands qualifying for annexation which are set forth in § 14-40
6	302.
7	(2) Privately owned lakes exceeding six (6) acres of water
8	surface which are used exclusively for recreational purposes and lands
9	adjacent thereto not exceeding twenty (20) acres in size which are used
10	exclusively for recreational purposes in relation to the lake shall not
11	qualify for annexation under the provisions of this subchapter.
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13	/s/ Overbey
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