



JOHN THURSTON
ARKANSAS SECRETARY OF STATE

August 7, 2019

The Hon. Tammy Sisson
Franklin County Clerk
211 West Commercial
Ozark, AR 72949

Re: City of Ozark Annexation Ordinance 2005-12

Dear Ms. Sisson,

This letter acknowledges receipt and filing of the following notice of municipal boundary change by the Office of the Arkansas Secretary of State:

Filing Type: Annexation pursuant to A.C.A §14-40-609(annexation by 100% of the landowners)

Effective Date: 07/05/05

County: Franklin

City: Ozark

City Ordinance: 2005-12

Dated: 07/11/05


County Court Order: Unknown

Date Filed: 07/05/05

A file marked copy of the ordinance, court order and exhibits submitted to our Office are enclosed. By copy of this letter (and its enclosures), the Secretary of State hereby notifies the appropriate mapping authorities for Arkansas. Please retain these copies as official record of the filing of the municipal change by the Arkansas Secretary of State.

If you have any questions or concerns regarding this filing, please do not hesitate to contact our Office at 501-682-3478.

Sincerely,


Brad Bowman
Elections Division

cc: Arkansas Geographic Information Systems Office (w/encl)
Arkansas Department of Transportation Mapping Department (w/encl)
Department of Finance and Administration (w/encl)
Arkansas Public Service Commission (w/encl)
Arkansas Economic Development Institute (w/encl)
The Honorable Roxie Hall, Mayor of Ozark (w/encl)
The Honorable Rickey Bowman, County Judge of Franklin County (w/encl)
Mr. Cecil Zollicoffer, Manager of Ozark Water Department (w/encl)



Arkansas Secretary of State

John Thurston Arkansas Secretary of State, 500 Woodlane Ave, Little Rock, AR 72201-1094

Municipal Boundary Change Checklist **F I L E D**

Act 655 of 2017 and A.C.A. §14-40-103

AUG 07 2019

County: Franklin City/Town: Ozark **Arkansas Secretary of State**

City Ordinance/Resolution No: 2005-12 Date approved: 7-11-2005

County Court Case No: WNR Date Order Filed: 7-5-2005

Type: A.C.A § 14-40-609
(Choose from the list of Arkansas Code Sections located on the back)

Date Change Effective: 7-5-2005 Set by: Municipal Ordinance Emergency Clause Court Default
(Required by Act 655 of 2017)

For Circuit Court Challenge: Date Order Filed: N/A Upheld Overturned Other (attach explanation)

Please indicate which ward(s) the territory will be assigned to: ward 1 Ward 3
§ 9111 (See A.C.A § 14-40-203)

Initiating party:

All Landowners Majority Landowners Municipal Governing Body State Other _____

Supporting Documentation attached (check all that apply):

- File marked copy of City Ordinance/Resolution (required)
- File marked copy of County Court Order or certified annexation election results (required except for A.C.A. §14-40-501)
- Copy of Arkansas GIS approved printed map and certification letter (required)
- Proof of Publication for all Legal Notices (include Hearing, Election, and City Ordinance/Resolution notices)
- File marked copy of Petition Part (if applicable)
- File marked copy of Complaint and final Circuit Court Order (Court Challenge only)

Municipal Contact:

Name: Roxie Hall Title: Mayor

Street Address: 2910 W. Commercial St

City: Ozark St: AR Zip code: 72949

Complete one form per ordinance/resolution, attach it as a cover page to the supporting document set and submit to the County Clerk's Office within 45 days of the Effective Date as required by Act 655 of 2017

County Official:

Signature: [Signature] Title: Franklin Co Judge

Date: 6/24/19

Pursuant to Act 655 of 2017, County Officials must submit a file-marked copy of municipal boundary change documents within 30 days of receipt to: Arkansas Secretary of State, Attn: Municipal Boundary Filing, 500 Woodlane Ave Suite 256, Little Rock, AR 72201-1094

Office of the Arkansas Secretary of State use only

Received by: _____

Municipal Annexation, Detachment, and Incorporation Reference

- Annexation of Territories Contiguous to County Seat A.C.A §14-40-201
- Annexation of Territories in another Judicial District (multiple county seats) A.C.A. §14-40-202
 - Annexation of City Park or Airport (automatic) A.C.A §14-40-204
- Annexation of building on boundary of two municipalities (written notice) A.C.A. §14-40-207
 - Annexation by Election (contiguous land) A.C.A. §14-40-302
 - Annexation of land in adjoining County A.C.A §14-40-401
- Annexation of surrounded unincorporated area (island/doughnut holes) by ordinance A.C.A. §14-40-501
 - Annexation by Petition of majority of Landowners A.C.A. §14-40-602
 - Annexation by Petition of all Landowners A.C.A §14-40-609
 - Consolidation of two municipalities by Election A.C.A §14-40-1201
- Annexation with Detachment from another municipality at landowner request A.C.A §14-40-2001
 - Annexation with Detachment from adjoining city at city request A.C.A §14-40-2101
 - Detachment of Land annexed by petition under §14-40-601 A.C.A §14-40-608
 - Detachment of municipal lands back to County by election A.C.A. §14-40-1801
 - Detachment of unsuitable land by municipal resolution A.C.A §14-40-1901
 - Incorporation by direct petition of landowners A.C.A §14-38-101
 - Incorporation by petition for special election A.C.A §14-38-115
- Surrender of Charter (Disincorporation) by second class city A.C.A §14-39-101

MAR 15 2006

ORDINANCE NO. 2005- 12

SHARON NEEDHAM
COUNTY AND PROBATE CLERK

AN ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN
TERRITORY TO THE CITY OF OZARK, ARKANSAS, AND MAKING SAME
PART OF THE CITY OF OZARK, ASSIGNING SAME TO WARDS,
DECLARING AN EMERGENCY, AND FOR OTHER PURPOSES

WHEREAS, Petition was filed with the County Clerk of Franklin county, Arkansas by the only real estate owners of the hereinafter described territory praying that said territory be annexed to, and made part of the City of Ozark, Arkansas; and

WHEREAS, on the 5th day of July, 2005, the County Clerk of Franklin County, found that the Petition was signed by the only real estate owners in said territory; that said territory was contiguous and adjoining the present corporate limits of the City of Ozark, Arkansas; that an accurate plat or map of said territory had been filed with and made part of said Petition; that proper notice had been given for the time and in the manner prescribed by law, and that all things pertaining thereto had been done in the manner prescribed by law, and that said land and territory should be annexed to and made part of the City of Ozark, Arkansas, subject to the acceptance of same by the City Council of said City at the proper time, as provided by law; and

WHEREAS, the time affixed by law for appealing from said Order of Annexation made by the County Court has expired and no appeal has been taken from said Order.

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

SECTION I: That the following described land and territory contiguous and adjoining the City of Ozark, Arkansas, be and the same is hereby accepted as passed and is hereby annexed to and made part of the City of Ozark, to wit:

See attached legal description

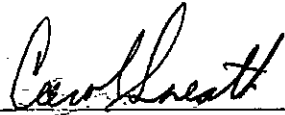
SECTION II: That the above described territory shall be annexed to and made a part of Ward 3 of the City of Ozark, and same shall henceforth be a part of said ward as fully existing of said ward.

SECTION III: This Ordinance being necessary for the preservation of public health, safety, and welfare, an emergency is therefore declared, and shall be in full force and effect immediately upon its passage.

Passed and approved this 11th day of July, 2005

C. L. Coley
MAYOR, C.L. "Bud", Coley

ATTEST:

A handwritten signature in cursive script, appearing to read "Carol Sneath".

CITY CLERK, Carol Sneath

JUL 05 2005

IN THE FRANKLIN COUNTY COURT IN THE MATTER OF ANNEXING TO
THE CITY OF OZARK, ARKANSAS CERTAIN TERRITORY CONTIGUOUS
TO THE SAID CITY OF OZARK, ARKANSAS.
BY SHARON NEEDHAM
CLERK AND PROBATE CLERK

DECREE OF ANNEXATION

On this regular day of a regular term of the County Court of Franklin County, Arkansas, there is presented to the Court by John P. Collums, a Petition for Annexation of certain territory, hereinafter more particularly described, to the City of Ozark, Arkansas, and the Court being fully advised of the facts and the law, doth hereby find, judge and decree as follows:

The Court finds the Petition was filed more than thirty (30) days prior to this date and that in said Petition, the said John P. Collums was selected by John Paul Collums and Beverly Gayle Collums, Husband and Wife, to present the Petition.

The Court doth find that John Paul Collums and Beverly Gayle Collums, Husband and Wife, are the only property owners owning real estate in the area affected by this Petition.

The Court further finds that the territory sought to be annexed was accurately described in said Petition and that said territory is contiguous to the boundaries of the City of Ozark, Arkansas.


The Court further finds that attached to and made a part of said Petition is an accurate map of the territory sought to be annexed to the City of Ozark, Arkansas.

The Court further finds that the prayer of the Petition is right and proper.

Therefore, the Court doth hereby ORDER, ADJUDGE AND DECREE that the following described territory be and the same is hereby annexed to and made a part of the City of Ozark, Arkansas, to-wit:

Lot 66 OF PHASE 2 OF OZARK COUNTRY ESTATES, FRANKLIN COUNTY, ARKANSAS AS RECORDED IN PLAT BOOK "B" AT PAGE 19 OF THE RECORDS OF FRANKLIN COUNTY, ARKANSAS.

The Court doth further order that the original papers in this case be delivered to the Clerk of Franklin County, Arkansas, same to be properly recorded upon the records of Franklin County, Arkansas, and the Clerk, after properly recording and filing the original papers, prepare transcripts of same; that one of the certified transcripts be delivered to the City of Ozark, Arkansas, one copy to the Secretary of State and one copy to the Director of the Tax Division of the Arkansas Public Service Commission.


County Judge

WITT LAW FIRM, P.C.

800 N. 3rd, P.O. Box 286
OZARK, ARKANSAS 72949
(479) 667-4721
FAX: (479) 667-4173

Ernie Witt
Neva Witt
ATTORNEYS AT LAW

April 19, 2005

Mayor C.L. "Bat" Coley
P.O. Box 253
Ozark, AR 72949

RE: Annexation

Dear Bat:

Enclosed herein please find a Petition, Decree and Ordinance, which I have prepared for the purpose of annexing the subject property.

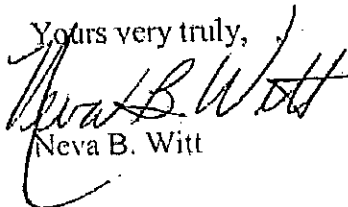
You will need to have the appropriate John and Beverly Collums sign the Petition and then file it with the County Clerk in Ozark, Arkansas. The clerk will then set a date for a hearing on the Petition. The hearing date must be at least 30 days from the date of the filing of the Petition. The Notice, which is also being provided to you, should contain the date set for the hearing. Then, the Notice must be published in the Ozark newspaper one time each week for three consecutive weeks.

Next, the Petitioners' representative will need to be present at the hearing set by the County Court and obtain a signature of the County Judge. After 30 days have passed from the date the Order was signed by the County Judge, then the Ordinance may be presented to the City Council for approval. The City should then publish the Ordinance and a copy should be delivered to the County Clerk's office.

At any point during this proceeding, if you have any questions, please do not hesitate to contact my office.

Thank you for your cooperation and assistance to this matter.

Yours very truly,



Neva B. Witt

Enc.

**IN THE FRANKLIN COUNTY COURT IN THE MATTER OF
ANNEXING TO THE CITY OF OZARK, ARKANSAS, CERTAIN
TERRITORY CONTIGUOUS TO THE SAID CITY OF OZARK,
ARKANSAS**

PETITION FOR ANNEXATION

We, as the property owners of the following described area, do hereby petition the County Court of Franklin County, Arkansas, to annex the following lands to the City of Ozark, Arkansas. The only real estate owners owning acreage in the said area are John Paul and Beverly Gayle Collums, and therefore, by this petition do hereby present this matter to the Court.

The description of the area to be annexed to the City of Ozark is more particularly described as follows:

See attached legal description.

Respectfully submitted,
John Paul Collums
Beverly Gayle Collums
John Paul and Beverly Gayle Collums



ARKANSAS GIS OFFICE

June 6, 2019

Mr. Cecil Zollicoffer
Manager – Ozark Water Department
2910 West Commercial
Ozark, AR 72949

RE: City of Ozark Annexation Coordination Requirement

Mr. Zollicoffer,

Thank you for coordinating with our office as we seek to file Ozark's missing annexation ordinance 2005-12. This letter represents confirmation that you have properly coordinated with our office (Arkansas GIS Office) as specified in § 14-40-101 (Act 914 of 2015) of the 90th General Assembly.

Our office will wait completion of any additional steps necessary for the proposed boundary change, which normally comes from the Arkansas Secretary of State Elections Division after any appropriate filing by your County Clerk.

Thank you,

Jennifer Wheeler, GIS Analyst
/jw

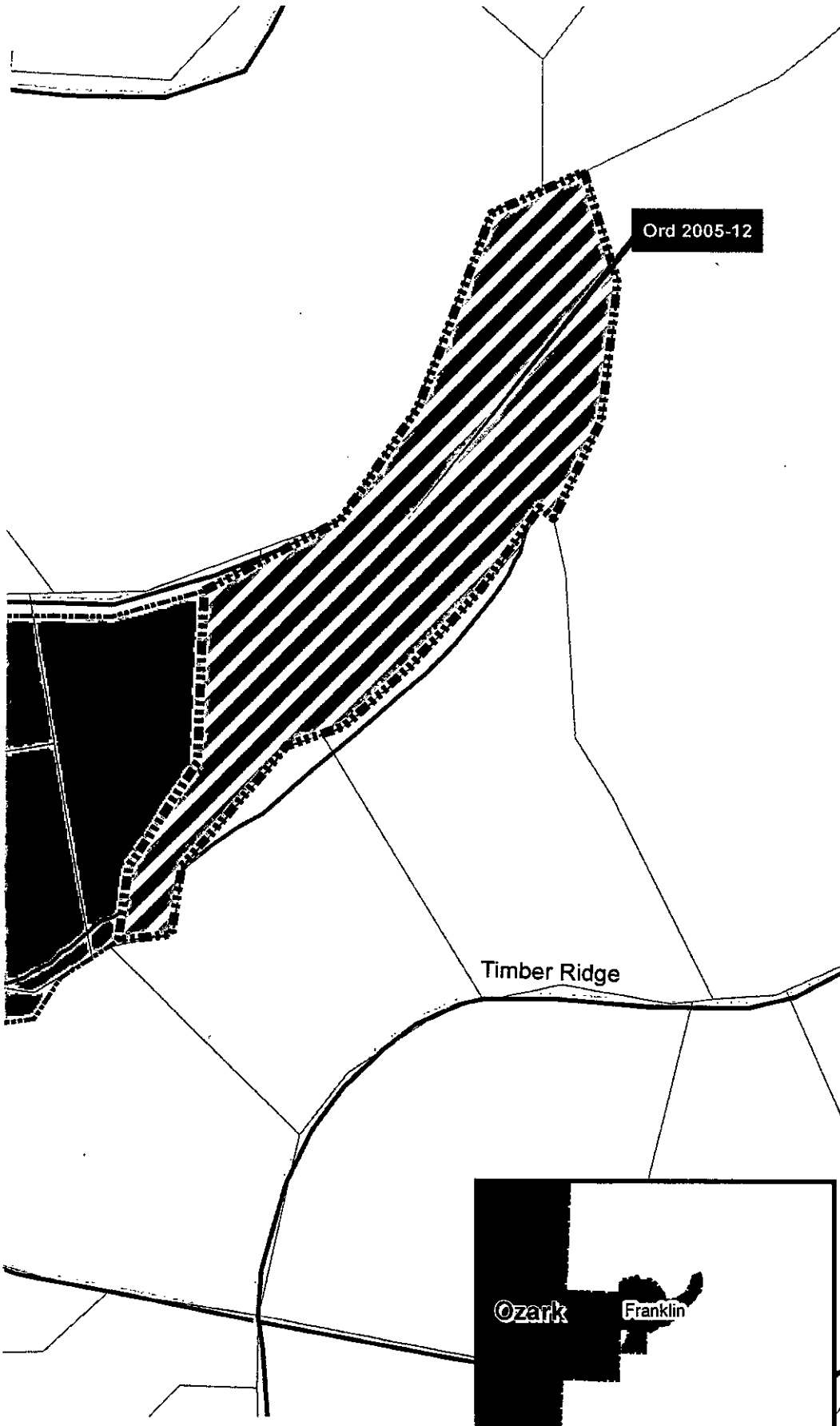
Attachments:
GIS Office Map of Proposed Annexation
Ordinance ~~1992-13~~ 2005-12
County Order
Municipal Boundary Checklist







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Arkansas Code 14-40-101.

Before an entity undertakes an annexation, consolidation, or detachment proceeding under this chapter, the entity shall coordinate with the Arkansas Geographic Information Systems Office for preparation of legal descriptions and digital mapping for the relevant annexation, consolidation, and detachment areas.

The map contained herein, is evidence, the entity has met requirements of Act 914 of 2015



-  Proposed Annex
-  Sections
-  Parcels
-  Minor Road
-  River Flowline
-  Existing City

