

**BAS Correction Ord 2014-24: City of Centerton**  
**\*for Census only - was already in state map**

City: Centerton  
 Mayor: Bill Edwards

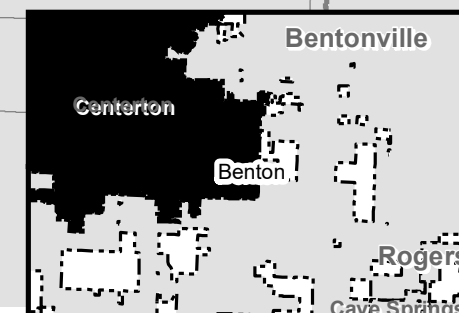
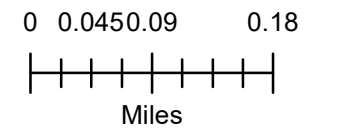
Arkansas Code 14-40-101.

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
- Existing City
- Neighboring City
- County Boundary



# BENTON COUNTY

AUG 21 2014

STATE OF ARKANSAS

TENA O'BRIEN

COUNTY CLERK & VOTER REGISTRAR

215 EAST CENTRAL, SUITE 217  
BENTONVILLE, AR 72712-5373

PROBATE COURT CLERK

COURTHOUSE, 102 N.E. "A" STREET  
BENTONVILLE, AR 72712-5350

August 21, 2014

Tax Division  
Arkansas Public Service Commission  
1000 Center Street  
2nd Floor - North  
Little Rock, AR 72202

Re: City of Centerton Annexation  
ARC Construction and Development, Inc., Gary Don and Kathleen Cline, and  
Ross Bull  
Benton County Court Case No. CC 2014-08

To Whom It May Concern:

As required by law, I am enclosing certified copies of the Order of Annexation, along with a map (survey or vicinity map) and the City's Ordinance, which have been filed in my office regarding the above annexation.

If you need anything further, please let me know.

Sincerely,

*Tena O'Brien*

by *X. McCombs*

Tena O'Brien

TO/ram  
Enclosures

cc: Bear Chaney  
Benton County Assessor

NW Arkansas Regional Planning Commission  
1311 Clayton Street  
Springdale, AR 72762

Benton County 9-1-1 Administration

COUNTY CLERK (479) 271-1013 FAX (479) 271-1019	VOTER REGISTRAR (479) 271-5704	BENTONVILLE (479) 271-1013 FAX (479) 271-1019	SILAM SPRINGS (479) 238-0120 FAX (479) 524-8534	PROBATE COURT CLERK (479) 271-5727 FAX (479) 271-1712	ROGERS (479) 636-3727 FAX (479) 636-4922 ARCHIVIST (479) 636-1037 FAX (479) 636-1053
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**ORDINANCE NO. 2014-25**

**AN ORDINANCE ACCEPTING AND ANNEXING CERTAIN LAND BELONGING TO ARC CONSTRUCTION AND DEVELOPMENT, INC., GARY DON CLINE AND KATHLEEN CLINE, AND ROSS BULL, ET AL TO THE CITY OF CENTERTON, ARKANSAS; ASSIGNING SAME TO WARD 3; AND FOR OTHER PURPOSES.**

TEENA O'BRIEN  
CO. & PROBATE CLERK  
BENTON COUNTY, ARK

2014 AUG 20 PM 3: 19

FILED

**WHEREAS**, a Petition was filed in the County Court of Benton County, Arkansas, requesting that certain lands belonging to ARC CONSTRUCTION AND DEVELOPMENT, INC., GARY DON CLINE AND KATHLEEN CLINE, AND ROSS BULL, ET AL; County Court Case No. CC2014-08; hereinafter described, lying adjacent and contiguous to the City of Centerton, Arkansas, be annexed to, and made a part of the City of Centerton, Arkansas; and,

**WHEREAS**, on June 30th, 2014, the County Court of Benton, Arkansas found that the petition was signed by the property owners of said territory; that said territory was contiguous and adjoining the present corporate limits of the City of Centerton, Arkansas; that an accurate plat or map of said territory had been filed with and made a 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 lands and territory should be annexed to and made a part of the City of Centerton, Arkansas, subject to the acceptance of same by the City Council of said City at the proper time, as provided by law and approved, decreed and ordered by County Judge; and

**WHEREAS**, the time fixed 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 Centerton, Arkansas:

Section 1: That the following described lands and territory contiguous and adjoining the City of Centerton, Arkansas, be and the same is hereby accepted as part of and annexed to and made a part of the City of Centerton.

**Legal Description:**

A part of the NW 1/4 of the SW 1/4, and a part of the SW 1/4 of the SW 1/4 of Section 2 and part of the SE 1/4 of the SE 1/4 and part of the NW 1/4 of the SE 1/4 of Section 3, Township 19 North, Range 31 West in Benton County, Arkansas and being described as follows:

Book 2014 Page 46589  
Recorded in the Above  
DEED Book & Page  
08/20/2014

FILED

Ord. No. 2014-25  
Annexation – ARC, Cline, Bull etal  
Page 2

2014 AUG 20 PM 3: 20

TENA O'BRIEN  
CO. & PROBATE CLERK  
BENTON COUNTY, ARK

Beginning at the NW Corner of said NW 1/4 of the SW 1/4 being an iron Kimmel Road, thence N 88°01'00" E 764.76 in Kimmel Road thence continue along said centerline S87°30'58"E 569.00 feet to a PK nail located in the centerline of Kimmel Road and Green House Road, thence along said centerline S02°21'02"W 868.36 feet, thence S02°21'02" W 836.51 feet, thence S02°45'02"W 325.52 feet, thence leaving said centerline N87°33'58"W 451.86 feet, thence S02°45'02"W 374.99 feet, thence N87°33'53"W 1374.82 feet to existing city limits and thence northeasterly along existing city limits to point of beginning.

Subject to and including any and all easements of record including the right of way on Kimmel Road on the North side and Greenhouse Road on the East side of the hereon described tract.

Layman Description: 76.25+ Acres at the SW Corner of Greenhouse Road and Kimmel Road.

Section 2: A map of said described lands are attached and made a part of this ordinance as Exhibit "A".

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

Section 4: The City Council of the City of Centerton, Arkansas, has determined that an emergency is hereby found to exist in order to avoid delay in development and the extension of needed public improvements. Therefore, this Ordinance shall be in full force and effect from and after its passage, approval and publication.

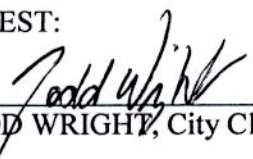
PASSED AND APPROVED this 12th day of August, 2014.

APPROVED:



\_\_\_\_\_  
BILL EDWARDS, Mayor

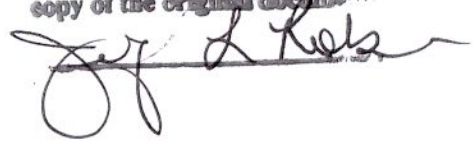
ATTEST:



\_\_\_\_\_  
TODD WRIGHT, City Clerk

I hereby certify that this is a true copy of the original document.

-2-



FILED

2014 AUG 20 PM 3:20

TENA O'BRIEN  
CO. & PROBATE CLERK  
BENTON COUNTY, ARK

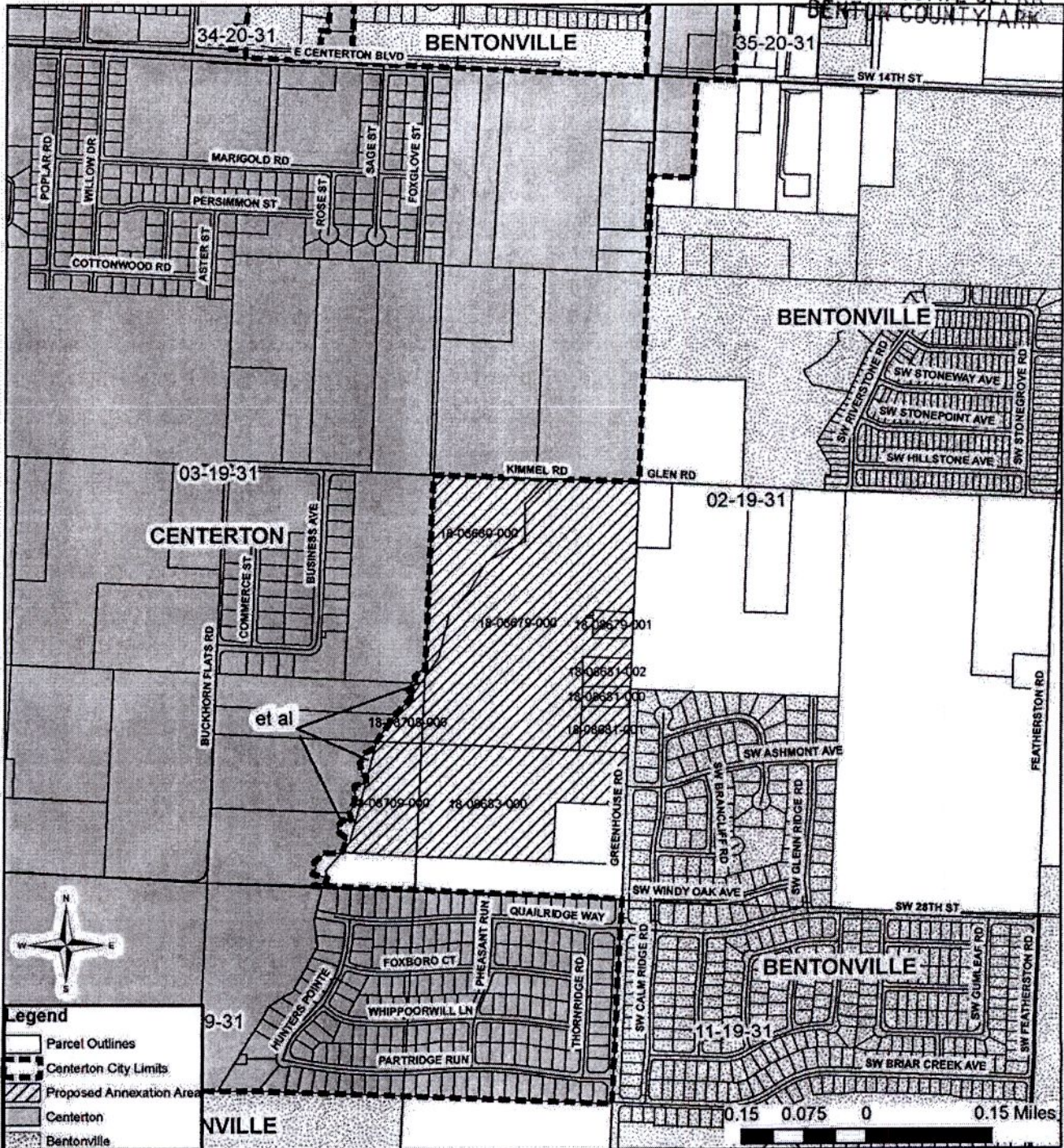


-3-

STATE OF ARKANSAS  
COUNTY OF BENTON  
CERTIFICATE OF CLERK  
I, TENA O'BRIEN, Clerk of the County and Probate Courts  
in and for the County and State aforesaid, do hereby certify  
that this instrument of writing is a true and complete copy,  
and the same appears of record in County Court Records  
Book 2014 Page 2560/62 being on file in my said office.  
I have hereunto set my hand and official seal this 21st  
day of August, 20 14  
TENA O'BRIEN, Clerk  
Benton County, Arkansas  
By R. McComas

EXHIBIT "A"

TENA O'BRIEN  
CO. & PROBATE CLERK  
BENTON COUNTY, ARK



City of Centerton  
Proposed Annexation Area

Disclaimer: The data represented in this map is a graphical representation. This map has been developed from the best available sources. No guarantee of accuracy is granted, nor is any responsibility for reliance thereon assumed. In no event shall the City of Centerton or any other entity be liable for damages of any kind arising out of use of or reliance on the data. The City of Centerton is in no way responsible for or liable for misrepresentation or re-use of this map. Distribution of this map is intended for information purposes and should not be considered authoritative for engineering, legal and other site-specific uses.



Source: City of Centerton Planning Dept  
June 30, 2014

SEE BACK

2014 2563

FILED

2014 JUN 30 AM 9:44

IN THE COUNTY COURT OF  
BENTON COUNTY, ARKANSAS

TENA O'BRIEN  
CO & PROBATE CLERK  
BENTON COUNTY, AR

IN THE MATTER OF THE ANNEXATION  
TO THE CITY OF CENTERTON, ARKANSAS,  
CERTAIN PROPERTY CONTIGUOUS TO SAID  
CITY BELONGING TO ARC CONSTRUCTION  
AND DEVELOPMENT, INC., GARY DON  
CLINE AND KATHLEEN CLINE, HUSBAND  
AND WIFE AND ROSS BULL

PETITIONERS

CC -

Case NO. 2014 - 08

**DECREE OF ANNEXATION**

NOW on this 30<sup>TH</sup> day of June, 2014, a day of the regular term of the County Court of Benton County, Arkansas, there is presented to the Court by the petitioners agent, Brian D. Rabal of RABAL LAW FIRM, PLLC, a Petition for Annexation of Certain territory, hereinafter more particularly described, to the City of Centerton, Arkansas, and the Court being fully advised of the facts and the law, doth hereby find, judge and decree as follows:

1. That the Petition for annexation was filed in the office of the Clerk of this Court more than thirty (30) days prior to this date.
2. That a majority of the total number of real estate owners in the area affected by the Petition have signed said Petition and that such majority owns more than one-half of the acreage affected.
3. That the territory sought to be annexed was accurately described in said Petition, or as amended, and that said territory is contiguous to the boundaries of the City of Centerton, Arkansas.



2014 2131

STATE OF ARKANSAS )  
COUNTY OF BENTON )  
I, TENA O'BRIEN, Clerk of the County and Probate Courts  
in and for the County and State aforesaid, do hereby certify  
that this instrument of writing is a true and complete copy,  
and the same appears of record in County Court Records  
Book 2014 Page 2131/32 being on file in my said office.  
I have hereunto set my hand and official seal this 21st  
day of August, 2014  
TENA O'BRIEN, Clerk  
Benton County Arkansas  
By R. McLean

FILED

2014 JUN 30 AM 9:44

TENA O'BRIEN  
CO & PROBATE CLERK  
BENTON COUNTY, AR

4. 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 Centerton, Arkansas.
5. That the prayer of the Petition is right and proper.

WHEREFORE, THE COURT DOTH HEREBY ORDER, JUDGE AND DECREE that the following described territory be and the same is hereby annexed to and made a part of the City of Centerton, Arkansas, to wit:

**A part of the NW 1/4 of the SW 1/4, and a part of the SW 1/4 of the SW 1/4 of Section 2 and part of the SE 1/4 of the SE 1/4 and part of the NE 1/4 of the SE 1/4 of Section 3, Township 19 North, Range 31 West in Benton County, Arkansas and being described as follows:**

**Beginning at the NW Corner of said NW 1/4 of the SW 1/4 being an iron pin in Kimmel Road, thence N 88°01'00" E 764.76 in Kimmel Road thence continue along said centerline S87°30'58" E 569.00 feet to a PK nail located in the centerline of Kimmel Road and Green House Road, thence along said centerline S02°21'02" W 868.36 feet, thence S02°21'02" W 836.51 feet, thence S02°45'02" W 325.52 feet, thence leaving said centerline N87°33'58" W 451.86 feet, thence S02°45'02" W 374.99 feet, thence N87°33'53" W 1374.82 feet to existing city limits and thence northeasterly along existing city limits to point of beginning.**

**Subject to any and all easements of record including the right of way on Kimmel Road on the North side and Greenhouse Road on the East side of the hereon described tract.**

THE COURT DOTH FURTHER ORDER that this Order be delivered to the County Clerk for the same to be properly recorded upon the records of Benton County, Arkansas, and the Clerk, after properly recording and filing the same, prepare transcripts and deliver one of the certified transcripts to the City of Centerton, Arkansas, one copy to the Secretary of State, and one copy to the Director of the Tax Division of the Arkansas Public Service Commission.



ROBERT D. CLINARD  
County Judge

2014 2132



FILED

2014 MAY 27 PM 1:44

**Amended Notice of Annexation Hearing**

Notice is hereby given that there has been filed in the County Court of Benton County, Arkansas, the petition of ARC Construction and Development, Inc., and others, asking for the annexation to the City of Centerton of the following described lands situated in Benton County, Arkansas, and contiguous to said city, to-wit:

Legal Description

A part of the NW 1/4 of the SW 1/4, and a part of the SW 1/4 of the SW 1/4 of Section 2 and part of the SE 1/4 of the SE 1/4 and part of the NE 1/4 of the SE 1/4 of Section 3, Township 19 North, Range 31 West in Benton County, Arkansas and being described as follows:

Beginning at the NW Corner of said NW 1/4 of the SW 1/4 being an iron pin in Kimmel Road, thence N 88°01'00" E 764.76 in Kimmel Road thence continue along said centerline S87°30'58"E 569.00 feet to a PK nail located in the centerline of Kimmel Road and Green House Road, thence along said centerline S02°21'02"W 868.36 feet, thence S02°21'02" W 836.51 feet, thence S02°45'02"W 325.52 feet, thence leaving said centerline N87°33'58"W 451.86 feet, thence S02°45'02"W 374.99 feet, thence N87°33'53"W 1374.82 feet to existing city limits and thence northeasterly along existing city limits to point of beginning.

Subject to any and all easements of record including the right of way on Kimmel Road on the North side and Greenhouse Road on the East side of the hereon described tract.

A map showing said land proposed for annexation is on file with said petition in the office of the Clerk of said Court, and Rabal Law Firm, PLLC has been named by the petitioners as the person authorized to act for them. The Court has fixed the 30th day of June, 2014 at 9:30 a.m. in the County Judge's Office, on the 3<sup>rd</sup> floor of the Benton County Courthouse Annex, as the date for a hearing on said petition, and all interested persons are now notified to be present at the time and date so fixed.

By: Jana O'Brien *by [Signature]*

Please Note >>>>>> This notice must be published in a newspaper of general circulation in the county one time each week for 3 consecutive weeks prior to the date of the public hearing before the County Judge. Be sure to ask for a proof-of-publication from the newspaper—you will need it at the hearing.

FILED

2014 MAY 27 PM 1:45

TERRA D'EMICH  
CO. & PROBATE CLERK  
BENTON COUNTY, ARK

EXHIBIT "A"  
DESCRIPTION OF CONTIGUOUS PROPERTY  
TO BE ANNEXED

Layman Description: SW Corner of Greenhouse Rd. and Kimmel Rd.;  
S02-T19N-R31W & S03-T19N-R31W

Owners Names:

ARC Construction and Development. Inc. P.O. Box 339 Centerton, AR 72719	18-08679-002, 18-08681-000, 18-08681-001, 18-08681-002, 18-08683-000, 18-08708-000, 18-08709-000 (65.23 Ac.)
Gary and Janis Cline P.O. Box 277, 1520 Kimmel Road Centerton, AR 72719	18-08680-000 (9.47 Ac.)
Ross A. Bull 9143 Greenhouse Rd. Bentonville, AR 72712	18-08679-001 (1.00 Ac.) 18-08679-000 (.55 Ac.)
Et al	Fragment parcels between current Centerton city limits and petitioner's properties as shown on annexation map

Legal Description:

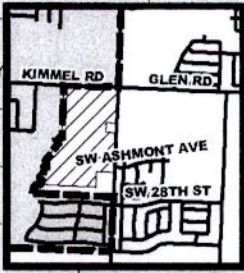
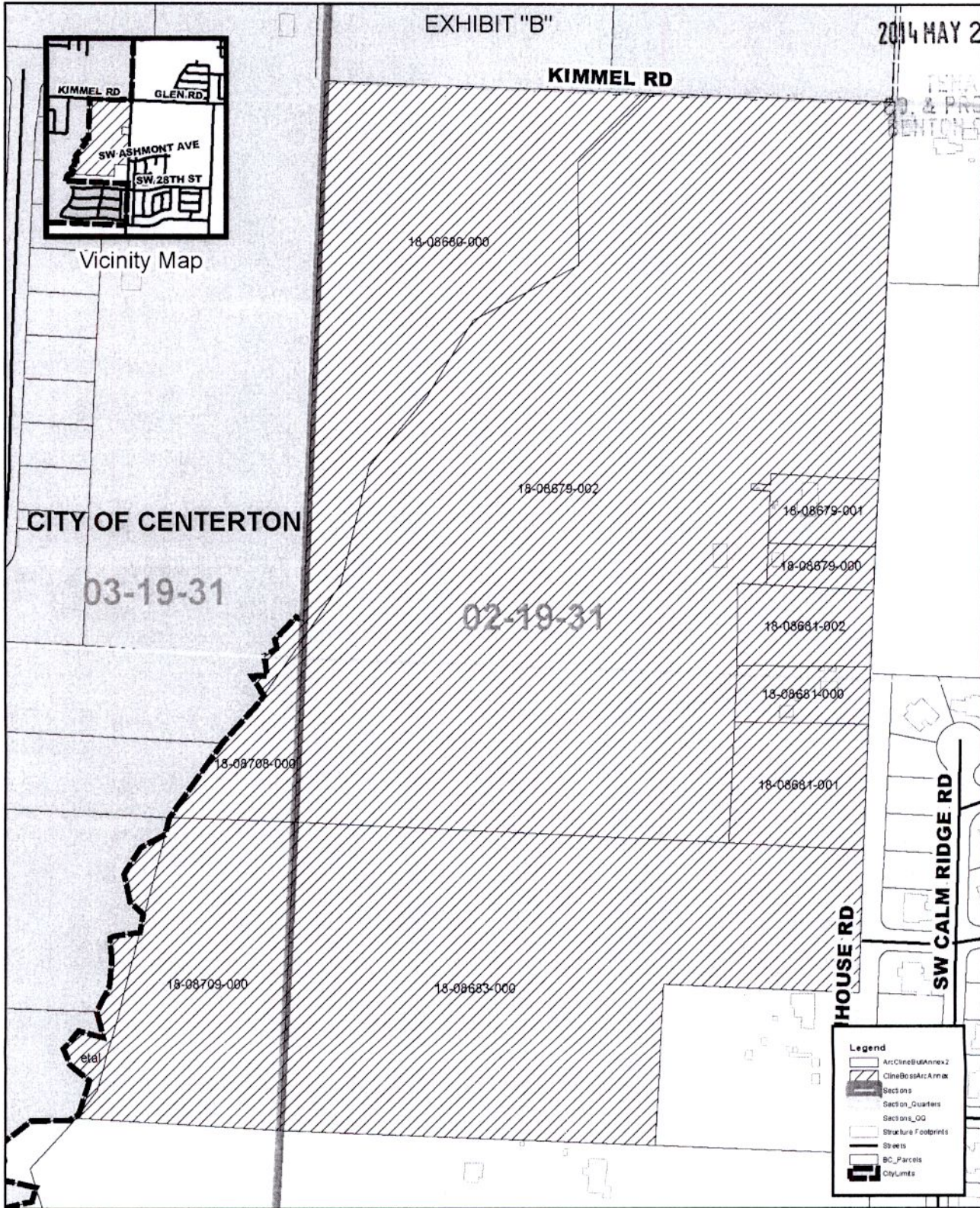
**A part of the NW 1/4 of the SW 1/4, and a part of the SW 1/4 of the SW 1/4 of Section 2 and part of the SE 1/4 of the SE 1/4 and part of the NE 1/4 of the SE 1/4 of Section 3, Township 19 North, Range 31 West in Benton County, Arkansas and being described as follows:**

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**Subject to any and all easements of record including the right of way on Kimmel Road on the North side and Greenhouse Road on the East side of the hereon described tract.**

2014 MAY 27 PM 1:45

TERESA D'AMICO  
CLERK & PROBATE CLERK  
BENTON COUNTY, ARK



Vicinity Map

CITY OF CENTERTON

03-19-31

02-19-31

Disclaimer: The data represented in this map is a graphical representation. This map has been developed from the best available sources. No guarantee of accuracy is granted, nor is any responsibility for reliance thereon assumed. In no event shall the City or any other entity be liable for direct, indirect, consequential or special damages of any kind, including, but not limited to, loss of anticipated profits or benefits arising out of or reliance on the data. The City or any other entity is in no way responsible for or liable for misrepresentation or misuse of this map. Distribution of this map is intended for information purposes and should not be considered authoritative for engineering, legal and other site-specific uses.

PROPOSED ANNEXATION AREA  
 ARC CONSTRUCTION AND DEVELOPMENT, INC./CLINE/BULL/ETAL  
 Part of Section 2 and Part of Section 3,  
 Township 19 North, Range 31 West

