

State of Arkansas SECRETARY OF STATE heid consus update

June 5, 1995

The Honorable Carole Burns Hot Spring County Clerk Courthouse - 3rd and Locust Street Malvern, AR 72104

Dear Ms. Burns:

This office has received the Decree of Annexation, Resolution No. 474, County Order No. 94-45, and the plat from the City of Malvern, Hot Spring County, Arkansas. This annexation has been recorded and filed as of June 5, 1995.

If you have any questions, please contact us at 682-5070 or 800-482-1127.

Sincerely,

Judy Steelman

Elections Assistant

The Honorable Phyllis Dial

Malvern City Clerk City Hall - 305 Locust Street

Malvern, AR 72104

Mr. Don Zimmerman

Arkansas Municipal League

P. O. Box 38

North Little Rock, AR 72115-0038

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RESOLUTION NO. 474

A RESOLUTION ACCEPTING DESIGNATED REAL PROPERTY AS A PART OF THE CORPORATE LIMITS OF THE CITY OF MALVERN, ARKANSAS OF THE CITY OF MALVERN, ARKANSAS

RECITALS

filed with the County Court of Hot spring County, Arkansas, by Paul and Donna Sue Golden, the owners of the property WHEREAS, on the 13th day of October, 1994, Petition was hereinafter described:

ship 4S, Range 17W, Hot Spring Co. AR described as follows: Part of the SE4 of the SE4, Section 27, Town-

SE1, Section 27, Township 4S, Range 17W, thence South 114 feet along the west boundary of Dyer Street to the point of beginning, thence West 210 ft., thence South being 1/2 acre more or less. Dyer Street; thence North 105 ft. along the west boundary of Dyer Street to the point of beginning, 105 ft., thence East 210 ft. to the west boundary of Commencing at the NE corner of the SE of the

property to the corporate limits of the City of Malvern, Arkansas; and Praying an order of the Court to annex the said

order the above-described property annexed and made a part of the corporate limits of the city of Malvern, Arkansas, subject to the approval of the Malvern City Council, and WHEREAS, on the 14th day of November, 1994 at 10 a.m., on the date set for hearing the said Petition, the Court did

now become final. Petition first came on for hearing and the said Order has WHEREAS, more than thirty days have elapsed since the

COUNCIL AS FOLLOWS: NOW, THEREFORE, B IT RESOLVED BY THE MALVERN CITY

IN THE COUNTY COURT OF HOT SPRING COUNTY

IN THE MATTER OF THE PETITION OF ANNEXATION

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OF THE FOLLOWING DESCRIBED PROPERTY:

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PART OF THE SEŁ OF THE SEŁ, SECTION 27, TOWNSHIP 4S, RANGE 17W; HOT SPRING CO. AR DESCRIBED AS FOLLOWS:

COMMENCING AT THE NE CORNER OF THE SE; OF THE SE;, SECTION 27, TOWNSHIP 4S, RANGE 17W, THENCE SOUTH 114 FT. ALONG THE WEST BOUNDARY OF DYER ST. TO THE POINT OF BEGINNING THENCE WEST WEST BOUNDARY OF DYER ST.; THENCE BOUTH 105 FT. TO THE WEST BOUNDARY OF DYER STREET TO THE POINT OF BEGINNING THE BEING 1/2 ACRE MORE OR LESS.

OF THE RESPECTIVE PETITIONS; THE COURT HEREIN HOLDS RECORDED DEED TO THE PROP-ERTY UNDER CONSIDERATION. AND, THE COURT FURTHER FINDS AS FOLLOWS: UNDER CONSIDERATION FOR THE PURPOSE OF DETERMINING THE VALIDITY OF THE SIGNATURES OTHER MATTERS AND THINGS AND PROOF BEFORE THE COURT, THE COURT TAKES THE CAUSE BY LAW; THE PLAT OF THE LANDS UNDER CONSIDERATION; TESTIMONY INTRODUCED AND PUBLISHED AT MALVERN, AR IN A LOCAL NEWSPAPER IN THE MANNER AND TIME PRESCRIBED PROOF OF PUBLICATION OF THE STATUTORY NOTICE TO THE PUBLIC IN THIS HEARING AND FROM SAID PETITION FILED ON BEHALF OF SAID RESIDENTS AND PROPERTY OWNERS, THE PROPERTY DESCRIBED ABOVE TO THE CORPORATE LIMITS OF THE CITY OF MALVERN NAMED RESIDENTS, PAUL W. AND DONNA SUE GOLDEN, REQUESTING THIS COURT ANNEX NOW ON THIS DATE THERE IS PRESENTED TO THE COURT THE PETITION OF THE FOLLOWING

WAS DESIGNATED AS THE DATE OF HEARING ON SAID PETITION; AND THAT NOTICE THEREOF WAS GIVEN BY PUBLICATION IN THE MANNER AND FOR THE TIME PRESCRIBED BY LAW. THAT THE PETITION SEEKING ANNEXATION OF THE ABOVE LANDS WAS DULY FILED IN THIS COURT ON OCTOBER 13, 1994 AND THAT THE 14TH DAY OF NOVEMBER, 1994 AT 10:00 AM

SHIP OF THE LANDS EMBRACED IN THE ABOVE LIMITS; AND THAT ALL OF THE PROPERTY UNDER CONSIDERATION IS SUITABLE AND REASONABLY ADAPTABLE TO MUNICIPAL USES AND SAME TO THE ANNEXATION ARE ALL QUALIFIED VOTERS AND REPRESENT ALL OF THE OWNER-PROPERTY WHO HAVE APPEARED IN CONNECTION WITH THIS PETITION FAVOR ANNEXING THE CORPORATE LIMITS OF THE CITY OF MALVERN, THAT ALL OF THE PERSONS OWNING SAID FURTHER, THAT THE ABOVE-DESCRIBED PROPERTY IS CONTIGUOUS TO THE PRESENT

THE COURT FURTHER FINDS THAT SAID PETITION SEEKING SUCH ANNEXATION SHOULD RE

The City Council in and for the City of Malvern, Arkansas

COPY

PETITION FOR ANNEXATION

City of Malvern and the City of Malvern to annex our land into the City of Malvern. Spring County, Arkansas, do hereby request and petition the City Council for the LEGAL DESCRIPTION: I (We), the owners of the below described property located in Hot Spring

Part of the SE% of the SE%, Section 27, Township 4 South, Range 17 West, Hot Spring Co. Arkansas described as follows:

Commencing at the Northeast corner of the SE% of the SE% Section 27, Township 4 South, Range 17 West, thence South 114 ft. along the West boundary of Dyer Street to the point of beginning thence West 210 ft.; thence South 105 ft.; thence East thence North 105 ft. along the West boundary of Dyer Street; Dyer Street to the point of beginning, being accre more or less.

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