



# JOHN THURSTON

ARKANSAS SECRETARY OF STATE

April 2, 2020

The Hon. Margaret Darter  
Faulkner County Clerk  
801 Locust St.  
Conway, AR 72034

Re: City of Conway Annexation Ordinance O-19-108

Dear Ms. Darter,

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 (petition of all landowners)

Effective Date: 11/12/2019

County: Faulkner

City Ordinance: O-19-108

County Court Order: CC-19-07

City: Conway

Dated: 11/19/2019

Date Filed: 10/15/2019

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 501-683-3717.

Sincerely,

A handwritten signature in black ink, appearing to read "Shantell McGraw".

Shantell McGraw  
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 Hon. Bart Castleberry, Mayor of Conway (w/encl)



# Arkansas Secretary of State

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

## Municipal Boundary Change Checklist

Act 655 of 2017 and A.C.A. §14-40-103

County: Faulkner City/Town: Conway

City Ordinance/Resolution No: 0-19-108 Date approved: 11-19-19

County Court Case No: CC-19-07 Date Order Filed: 10-15-19

Type: ACA 14-40-609  
(Choose from the list of Arkansas Code Sections located on the back)

Date Change Effective: Nov 12, 2019 Set by:  Municipal Ordinance  Emergency Clause  Court  Default  
(Required by Act 655 of 2017)

For Circuit Court Challenge: Date Order Filed: \_\_\_\_\_  Upheld  Overturned  Other (attach explanation)

Please indicate which ward(s) the territory will be assigned to: Ward 2  
(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: \_\_\_\_\_ Title: \_\_\_\_\_

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ St: \_\_\_\_\_ Zip code: \_\_\_\_\_

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: Margaret Porter Title: County Clerk  
Date: 2/5/2020

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

**FILED**

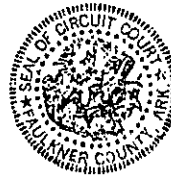
Office of the Arkansas Secretary of State use only

Received by: [Signature]

APR 02 2020

Arkansas Secretary of State Rev. 2/2019

3



City of Conway, Arkansas  
Ordinance No. O-19-108



L201918121  
CERTIFICATE OF RECORD  
FAULKNER CO, AR FEE \$25.00  
RECORDED: 11-26-2019 01:37:58 PM  
CRYSTAL TAYLOR  
CIRCUIT CLERK  
BY: LIZ BAUMGARTNER, D.C.

ORDINANCE  
3 Pages

**AN ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN LANDS COMPRISED OF +/-8.0 ACRES LOCATED WEST OF THE TERMINUS OF MUSKOGEE ROAD, TO THE CITY OF CONWAY:**

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS THAT:**

**Section 1:** That the City of Conway, Arkansas, hereby accepts the hereinafter described territory, including all adjacent and abutting rights-of-way, annexed to said City by order of the County Court of Faulkner County, Arkansas heretofore entered on **October 15, 2019** and said territory being situated in Faulkner County, Arkansas, shall be a part of the City of Conway and shall be zoned **C-3**. Legal description as follows:

Part of the NE ¼ NE ¼ Section 34, Township 6 North, Range 14 West, lying north of the interstate Highway 40, Faulkner County, Arkansas, more particularly described as follows: Commencing at the northeast corner of said Section 34; thence N88°26'54" W along the north line of said Section 34 for 265.91 feet to a ½" rebar and the point of beginning; thence S01°57'18" W for 425.15 feet to a ½" rebar on the north right of way line of Interstate Hwy 40; thence N85°10'29"W along said right of way line for 866.06 feet to a ½" rebar; thence N01°06'05"E for 367.94 feet to a ½" rebar on the north line of said NE ¼ NE ¼; thence S88°17'14"E along the north line of said Section 34 for 870.61 feet to the point of beginning; containing 348,495 square feet or 8.000 acres, more or less.

And that the above described lands and territory be, and the same hereby are, declared to be a part of the City of Conway, Faulkner County, Arkansas.

**Section 2:** That the City of Conway hereby accepts the following section of street as public street for maintenance and for the purpose of providing street frontage for the issuance of building permits.

The new portion of Muskogee Road that fronts upon the property, to be constructed during property improvement

**Section 3:** From and after this date, all inhabitants residing within and upon the hereinabove described lands and territory shall have and enjoy all the rights and privileges of, and be subject to all the laws, rules, ordinances, limitations and regulations imposed upon the inhabitants within the original limits of said City of Conway, Arkansas, and for voting purposes, said lands are hereby assigned to and designated as part of **Ward 2** of the City of Conway, Arkansas.

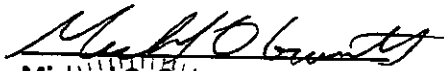
Section 4: It is hereby declared the annexed land shall be provided the following services immediately upon the effective date of this annexation: police protection; fire protection; maintenance of any publically dedicated streets within the property; and opportunity to connect to potable water, sanitary sewer, electric, and telecommunications services provided by Conway Corporation at the expense of the property owner.

PASSED this 12<sup>th</sup> day of November, 2019

Approved:

  
Mayor Bart Castleberry

Attest:

  
Michael O. Garrett  
City Clerk/Treasurer



Clerk's Certificate

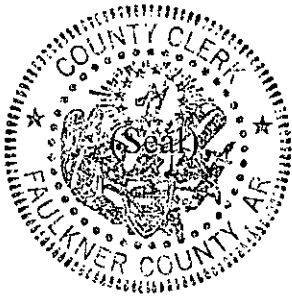
STATE OF ARKANSAS  
COUNTY OF FAULKNER

I, Margaret Darter, County Clerk of Faulkner County, Arkansas, do hereby certify that the foregoing pleadings are a true and correct copy of the original documents filed in my case in Case Number CC-19-07

Witness my hand and seal as such Clerk on this 5th day of February, 2020.

MARGARET DARTER  
FAULKNER COUNTY CLERK

By Alyson Miller D.C.



February 5, 2020

Secretary of State  
Attn: Annexation  
State Capitol  
500 Woodlane St., Suite 256  
Little Rock, Arkansas 72201

Director Tax Division  
P.O. Box 8021  
Little Rock, AR 72203-8021

Re: Faulkner County Annexations CC-19-07  
Annexation City of Conway

To whom it may concern:

Pursuant to A.C.A. § 14-40-605, enclosed herein are certified copies of the Orders of the Court, the Ordinances and plats of the territory annexed in Faulkner County regarding the above-referenced matter.

Sincerely,

Margaret Darter

CC: Arkansas Secretary of State

IN THE COUNTY COURT OF FAULKNER COUNTY, ARKANSAS

FILED

Hums Hardware & Furniture, Inc., Petitioner

OCT 15 2019

CC-19-07

ORDER

MARGARET DARTER  
FAULKNER COUNTY CLERK  
BY Amiller DC

Comes now before the Court is the above-styled case and after having been presented all the facts and circumstances and having considered the relevant laws, this Court finds and orders the following:

1. A petition for annexation was filed October 3, 2019.
2. All appropriate signatures were affixed to the Petition, as required by A.C.A. 14-40-609.
3. The proposed site to be annexed was adequately described and further displayed a map of the proposed site.
4. The appropriate documentation was provided under A.C.A. 14-40-609.
5. Based on the above premises, the Petitioner's prayer is right and proper.

WHEREFORE, this Court finds that the area described in Exhibit A should be, and hereby is, released for annexation into the City of Conway:

IT IS SO ORDERED.

Jim B. Baker

HON. JIM B. BAKER  
Faulkner County Judge

Dated

Oct. 15, 2019

We verify that the above referenced Petition complies with A.C.A. 14-40-609.

Margaret Darter  
Margaret Darter, Clerk

Krissy Lewis  
Krissy Lewis, Assessor

**CERTIFICATE**

**STATE OF ARKANSAS  
COUNTY OF FAULKNER  
CITY OF CONWAY**

I, Michael Garrett, the duly elected, qualified, and acting: Clerk-Treasurer of the City of Conway, Arkansas, do hereby certify that the attached and foregoing is a true and correct copy of an ordinance presented to the City Council of the City of Conway, Arkansas, at a meeting of that body held on the 12<sup>th</sup> day of November, 2019 same is duly recorded in the minutes of meeting of said Council.

Witness, my hand, and seal of the City of Conway, Arkansas this 19<sup>th</sup> day of November, 2019.

  
**CITY CLERK-TREASURER**





**Exhibit A**

FILED

OCT 15 2019

Annexation Petition for Hum's Hardware & Furniture

MARGARET DARTER  
FAULKNER COUNTY CLERK  
BY Amiller DC

Schedule of Services to be extended to the property:

1. Police and Fire protection.
2. Electric power service by Conway Corp.
3. Telecommunications service by Conway Corp.
4. Natural gas service by Centerpoint Energy.
5. Maintenance of water line conduit and appurtenances provided at petitioner's expense and dedicated to Conway Corp.
6. Maintenance of street and drainage improvements provided at petitioner's expense and dedicated to the City of Conway.
7. Garbage collection service.

County Court Case No: CC-19-07

Petitioner's Signature: Ash E. Felton for Hum's Hardware & Furniture

Exhibit A

LEGAL DESCRIPTION (AS-SURVEYED):  
PART OF THE NE $\frac{1}{4}$ , NE $\frac{1}{4}$ , SECTION 34,  
TOWNSHIP 6 NORTH, RANGE 14 WEST LYING  
NORTH OF THE INTERSTATE HIGHWAY 40,  
FAULKNER COUNTY, ARKANSAS, MORE  
PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF  
SAID SECTION 34; THENCE N88°26'54"W ALONG  
THE NORTH LINE OF SAID SECTION 34 FOR  
265.91 FEET TO A  $\frac{1}{2}$ " REBAR AND THE POINT  
OF BEGINNING; THENCE S01°55'00"W FOR 427.12  
FEET TO A  $\frac{1}{2}$ " REBAR ON THE NORTH RIGHT OF  
WAY LINE OF INTERSTATE HIGHWAY 40; THENCE  
N85°16'50"W ALONG SAID RIGHT OF WAY LINE  
FOR 866.06 FEET TO A  $\frac{1}{2}$ " REBAR; THENCE  
N01°01'54"E FOR 377.23 FEET TO A  $\frac{1}{2}$ " REBAR  
ON THE NORTH LINE OF SAID NE $\frac{1}{4}$ , NE $\frac{1}{4}$ ;  
THENCE S88°34'58"E ALONG THE NORTH LINE  
OF SAID SECTION 34 FOR 870.85 FEET TO THE  
POINT OF BEGINNING; CONTAINING 348,495  
SQUARE FEET OR 8.000 ACRES, MORE OR LESS.

Sample Petition for Annexation to be submitted, typewritten, to the County Court of Faulkner County, Arkansas with all required supporting documents outlined in Procedure [1] or Procedure [2] as applicable.

FILED

(Printed name of Petitioner) Hum's Hardware & Furniture, Inc.

No. CC-19-07

OCT 03 2019

MARGARET DARTER  
FAULKNER COUNTY CLERK  
BY Amiller DC

PETITION OF ANNEXATION

Hum's Hardware & Furniture, Inc.  
printed name of petitioner for its petition for annexation of certain lands into the City

of Conway, Arkansas, states:

1. Petitioner is the owner of all following described lands in Faulkner County, Arkansas:  
[enter legal description for all property to be annexed]
2. Said lands are contiguous to and adjoin lands which are included within the city limits of the City of Conway, Arkansas; said lands are adaptable for residential purposes; an accurate map of said lands is attached to this petition; the limits of the territory to be annexed have been accurately described herein; all other requirements of the law for the annexation of said lands into the City of Conway, Arkansas, have been met; and said lands should be annexed unto the City of Conway, Arkansas, and become part thereof.

WHEREFORE, Petitioner prays that this Court enter its order abandoning unto the City of Conway, Arkansas, for annexation, the aforesaid lands.

All petitioners must sign

Petitioner Hum's Hardware & Furniture, Inc by Jason Hum

Address 3901 E. Broadway St.

City, State, Zip North Little Rock, AR 72114

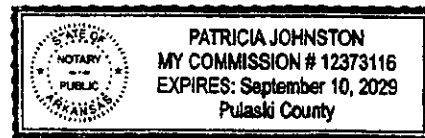
Signature: Jason Hum

State of Arkansas, County of Pulaski

Subscribed and sworn to before me on this 2 day of October, 20 19 by

Jason Hum, Vice President (petitioner).

Signature of Notary Public Patricia Johnston



My commission expires: 9-10-29

[Seal of Office]



August 30, 2019

Honorable Jim Baker  
Faulkner County Judge  
810 Faulkner Street  
801 Locust Ave.  
Conway, Arkansas 72034

RE: Hum's Hardware Annexation Petition

Please find attached a petition to annex the subject property into the City of Conway. Included in this submittal are the following documents:

**Annexation Petition**

1. A notarized statement from the property owner confirming the desire to be annexed.
2. A legal description of the property.
3. A deed of the property from American Abstract verifying ownership.
4. Based in the information we have reviewed based on ordinance 96-37, the subject property is contiguous to the City of Conway boundary.
5. Water and electrical service will be extended to the property within the next 3 years or earlier.

Sincerely,  
HALFF+MARLAR

A handwritten signature in black ink, appearing to read "Mark E. Rickett", with a long horizontal line extending to the right.

Mark E. Rickett, PE, CFM  
Project Manager

# HUMS HARDWARE AND RENTAL

3901 East Broadway St.  
North Little Rock, AR 72114

Phone (501) 945-2216  
Fax (501) 492-5989

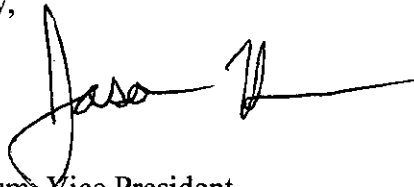
August 28, 2019

City of Conway  
1201 Oak Street  
Conway, AR 72032

RE: Annexation of Hum's Property

I, Jason Hum, on behalf of the entire ownership of the property described by the attached survey and legal description, containing approximately 8.0 acres, desire this property to be annexed into the City of Conway.


Sincerely,



Jason Hum, Vice President  
Hum's Hardware & Furniture, Inc.

State of Arkansas, County of Pulaski

Subscribed and sworn to before me on this 28<sup>th</sup> of August, 2019 by Jason Hum, Vice President of Hum's Hardware & Furniture, Inc.

Signature of Notary Public 

My commission expires 9-10-29



**CERTIFICATE OF PRELIMINARY SURVEYING ACCURACY**  
 I, Jason J. Scheffer, hereby certify that this plan correctly represents a boundary survey made by me and all monuments shown herein actually exist and their locations, size, type and material are correctly shown.  
 Date of Execution: \_\_\_\_\_

Reg. Land Surveyor, No. 1732, Ark.

**CERTIFICATE OF PRELIMINARY ENGINEERING ACCURACY**  
 I, Michael P. Madler, hereby certify that this plan correctly represents a plan made under my direction and engineering requirements of the Conway Subdivision Regulations have been complied with.  
 Date of Execution: \_\_\_\_\_

Reg. Prof. Engineer No. 6907, Ark.

**CERTIFICATE OF OWNER**  
 We, the undersigned, owners of the real estate shown and described herein, do hereby certify and agree that we have laid off, platted, subdivided said real estate in accordance with this plan and do hereby dedicate to the use of public the (street, alleys, drives, easements, etc.) as shown on said plan.  
 Date of Execution: \_\_\_\_\_

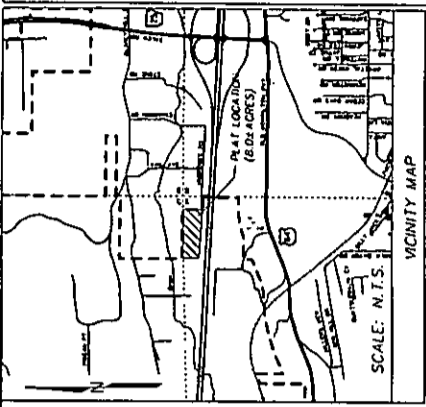
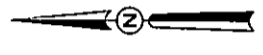
Signed: \_\_\_\_\_  
 Hum's Hardware & Furniture, Inc.  
 4210 E. Broadway Street  
 North Little Rock, Arkansas 72114

Source of Title: D.R. \_\_\_\_\_ Page \_\_\_\_\_  
 Chairman, Conway Planning Commission

**SUBDIVIDER**  
 Hum's Hardware & Furniture, Inc.  
 4210 E. Broadway Street  
 North Little Rock, Arkansas 72114

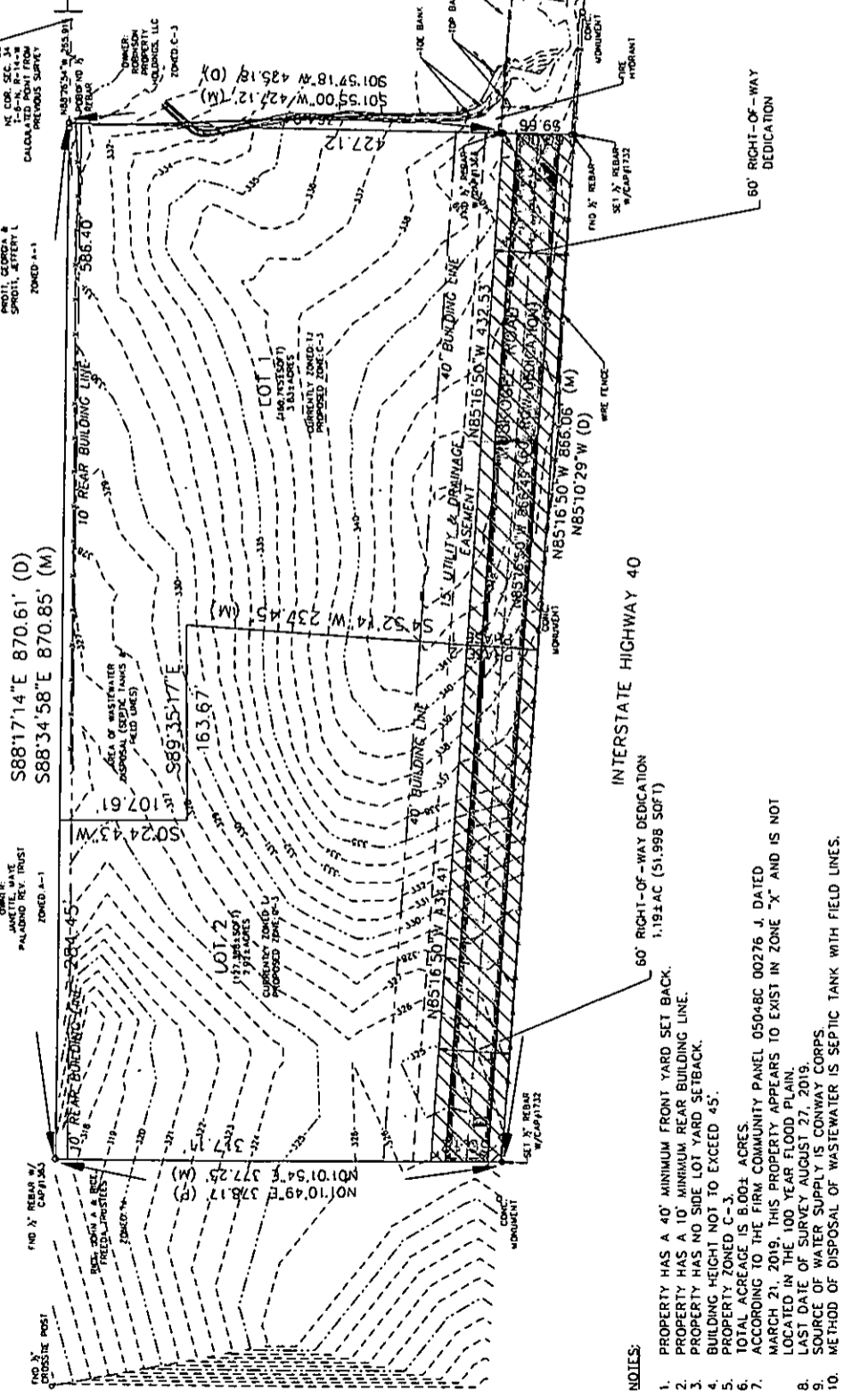
**CERTIFICATE OF PRELIMINARY PLAT APPROVAL**  
 This plat has been given preliminary plat approval only and has not been approved for recording purposes as a public record. This certificate shall expire on \_\_\_\_\_ (date).  
 Date of Execution: \_\_\_\_\_

Chairman, Conway Planning Commission



# LOTS 1 & 2 HUM'S ADDITION TO THE CITY OF CONWAY, FAULKNER COUNTY, ARKANSAS

**LEGAL DESCRIPTIONS (AS SURVEYED):**  
 PART OF THE NE 1/4, SECTION 34,  
 TOWNSHIP 6 NORTH, RANGE 14 WEST LYING  
 FAULKNER COUNTY, ARKANSAS,  
 PARTICULARLY DESCRIBED AS FOLLOWS:  
 COMMENCING AT THE NORTHEAST CORNER OF  
 SAID SECTION 34, THENCE N88°26'54" W ALONG  
 THE NORTH LINE OF SAID SECTION 34 FOR  
 205.00 FEET TO A POINT OF BEGINNING;  
 THENCE S01°55'00" W FOR 237.12  
 FEET TO A POINT OF BEGINNING;  
 THENCE N85°16'50" W FOR 432.53  
 FEET TO A POINT OF BEGINNING;  
 THENCE N85°16'50" W FOR 866.06 FEET TO  
 A POINT OF BEGINNING;  
 THENCE N85°16'50" W FOR 870.85 FEET TO THE  
 POINT OF BEGINNING, CONTAINING 348.495  
 SQUARE FEET OR 8.000 ACRES, MORE OR LESS.



- NOTES:**
- PROPERTY HAS A 40' MINIMUM FRONT YARD SET BACK.
  - PROPERTY HAS A 10' MINIMUM REAR BUILDING LINE.
  - PROPERTY HAS NO SIDE LOT YARD SETBACK.
  - BUILDING HEIGHT NOT TO EXCEED 45'.
  - PROPERTY ZONED C-3.
  - TOTAL ACRES IS 8.000± ACRES.
  - ACCORDING TO THE FIRM COMMUNITY PANEL 05048C 00276 J, DATED MARCH 21, 2019, THIS PROPERTY APPEARS TO EXIST IN ZONE "X" AND IS NOT LOCATED IN THE 100 YEAR FLOOD PLAIN.
  - LAST DATE OF SURVEY AUGUST 27, 2019.
  - SOURCE OF WATER SUPPLY IS CONWAY CORPS.
  - METHOD OF DISPOSAL OF WASTEWATER IS SEPTIC TANK WITH FIELD LINES.

BY: GARY MONROE, L.D. 12, ELEV. 348.06  
 ALUMINUM CAP SET IN CONCRETE POST.  
 PLUS 1/2" DIA. GALVANIZED STEEL ROD  
 OF GRADE ROAD IN CHAMBERLAIN PARK, AND 0-15  
 MILE FROM BLANEY ROAD

**HUM'S HARDWARE**  
 CONWAY, AR

**HUM'S**  
 HARDWARE AND RENTAL

**HALTF+**

PRELIMINARY PLAT  
 Scale: 1" = 40'



**ARKANSAS  
GIS OFFICE**

A Division of the Department of Transformation and Shared Services

**FILED**

OCT 03 2019

MARGARET DARTER  
FAMILKNER COUNTY CLERK

BY *Amiller* DC

*CC-19-07*

August 30, 2019

Ms. Beth Sketoe  
Planning & Development  
City of Conway  
1201 Oak Street Conway, AR

RE: City of Conway Annexation Coordination Requirement

Ms. Sketoe,

Thank you for coordinating with our office as you seek to annex property into the City of Conway, AR located in Section 34, Township 6 North, Range 14 West. 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 90<sup>th</sup> 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

Attachments:  
GIS Office Map of Proposed Annexation  
Legal Description  
Secretary of State Municipal Change Checklist

H:\City\_Annexations\Cities\Conway\20190830\Doc\20190830\_Conway\_Annexation\_Coordination\_Letter.docx

ARKANSAS GIS OFFICE · 1 CAPITOL MALL SUITE 6D · LITTLE ROCK · ARKANSAS · 72201

PHONE (501) 682-2767 · [www.gis.arkansas.gov](http://www.gis.arkansas.gov)

