



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-19-130

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: 12/10/2019

County: Faulkner

City Ordinance: O-19-119

County Court Order: CC-19-08

City: Conway

Dated: 11/26/2019

Date Filed: 10/24/2019

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,


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: 0-19-130 Date approved: 12/10/2019 *original 8m*
 County Court Case No: CC-19-08 Date Order Filed: 10/24/2019
 Type: ACA 14-40-609

(Choose from the list of Arkansas Code Sections located on the back)

Date Change Effective: Dec 10, 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 4
(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 Darter 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

Office of the Arkansas Secretary of State use only

Received by: [Signature]

FILED

APR 02 2020

Arkansas Secretary of State

3



City of Conway, Arkansas
Ordinance No. O-19-130



L201919689
CERTIFICATE OF RECORD
FAULKNER CO, AR FEE \$25.00
RECORDED: 12-27-2019 02:32:47 PM
CRYSTAL TAYLOR
CIRCUIT CLERK
BY: LIZ BAUMGARTNER, D.C.
ORDINANCE
3 Pages

A ORDINANCE CORECTING THE WARD ASSIGNMENT OF +/-31.18 ACRES ANNEXED BY ORDINANCE #O-19-119, DECLARING AN EMERGENCY, AND FOR OTHER PURPOSES:

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

SECTION 1: That the +/-31.18 acres accepted for annexation to the City of Conway, Arkansas, by Ordinance no. O-19-119 was incorrectly assigned as part of Ward 2, but should be assigned as part of Ward 4. Legal description of the annexed lands are as follows:

Being a part of the NE1/4 SE1/4 and a part of the SE1/4 NE1/4 of Section 3, T-4-N, R-14-W, and also a part of the NW1/4 SW1/4 and a part of the SW1/4 NW1/4 of Section 2, T-4-N, R-14-W, all in Faulkner County, Arkansas more particularly described as follows:

Commencing at the SW corner of said NE1/4 SE1/4 of Section 3, T-4-N, R-14-W; thence N01°40'00"E 207.50 feet; thence S88°15'02"E 798.81 feet to a point on the City Limits Boundary of the City of Conway; thence along said Boundary, N01°47'54"E 469.75 feet to the point of beginning; thence leaving said Boundary, West 411.68 feet; thence N05°42'07"E 395.95 feet; thence N10°35'55"E 248.30 feet; thence N37°48'37"E 431.80 feet to a point on the South Right of Way of Empy Trail; thence N37°48'37"E 186.68 feet to a point on the North Right of Way of Empy Trail; thence N02°50'18"E 144.04 feet; thence N72°31'27"E 116.62 feet; thence N46°36'08"E 63.27 feet; thence N77°13'21"E 129.87 feet; thence S63°08'53"E 189.17 feet; thence S79°52'40"E 50.20 feet to a point on the East line of said SE1/4 NE1/4, said line also being the City Limits Boundary of the City of Conway; thence along said East line / City Limits Boundary, S01°58'14"W 661.25 feet to the NW Corner of said NW1/4 SW1/4; thence leaving said East line, along the North line of said NW1/4 SW1/4, said line also still being the City Limits Boundary of the City of Conway, S87°45'24"E 108.85 feet; thence leaving said North line, continuing along said City Limits Boundary, N01°55'59"E 218.19 feet; thence continuing along said City Limits Boundary, N52°51'47"E 107.54 feet; thence continuing along said City Limits Boundary with a curve turning to the left with an arc length of 464.35 feet, with a radius of 769.85 feet, with a chord bearing of S54°24'59"E, with a chord length of 457.34 feet; thence continuing along said City Limits Boundary, S31°20'04"E 155.05 feet to a point on the West line of Lot-25 of Round Mountain Subdivision (Plat of Records of Faulkner County Book E Page 72); thence continuing along said City Limits Boundary, as well as along said West line of Lot-25, S12°22'38"W 286.52 feet to the NW Corner of Lot-22 of Round Mountain Subdivision; thence leaving the West line of Lot-25, along the West line of Lot-22, as well as continuing along said City Limits Boundary, S11°45'45"W 137.65 feet to the NE Corner of Lot-21 of said Round Mountain Subdivision; thence leaving said West line of Lot-22, along the North line of said Lot-21, as well as continuing along said City Limits Boundary, N87°55'00"W 196.27 feet; thence continuing along said North line, as well as continuing along said City Limits Boundary, S61°15'09"W 220.15 feet to the NE Corner of Lot-20 of said Round Mountain Subdivision; thence leaving said North line of said Lot-21,

along the North line of said Lot-20, as well as continuing along said City Limits Boundary, N77°00'00"W 300.00 feet; thence along the East line of said Lot-20, as well as continuing along said City Limits Boundary, N01°20'34"E 100.00 feet; thence continuing along the North line of said Lot-20, as well as continuing along said City Limits Boundary, N88°15'03"W 419.73 feet to the NW Corner of said Lot-20; thence along the West line of said Lot-20, as well as continuing along said City Limits Boundary, S01°45'57"W 169.79 feet to the point of beginning, containing 31.18 acres more or less.

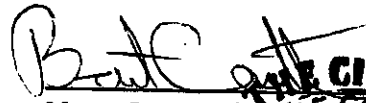
Subject to all roadways, easements and reservations that are of record or physically in place.


SECTION 2: That all ordinances in conflict herewith are repealed to the extent of the conflict.

SECTION 3: That this ordinance is necessary for the protection of the public peace, health and safety, and an emergency is hereby declared to exist, and this ordinance shall be in full force and effect from and after its passage and approval.

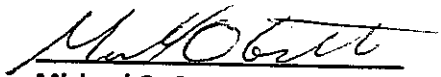
PASSED this 10th day of December, 2019.

APPROVED:


Mayor Bart Castleberry



ATTEST:

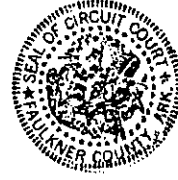

Michael O. Garrett
City Clerk/Treasurer



3



L201919678
CERTIFICATE OF RECORD
FAULKNER CO, AR FEE \$25.00
RECORDED: 12-27-2019 01:54:49 PM
CRYSTAL TAYLOR
CIRCUIT CLERK
BY: LIZ BAUMGARTNER, D.C.



City of Conway, Arkansas
Ordinance No. O-19-119

ORDINANCE
3 Pages

A ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN LANDS COMPRISED OF +/-31.18 ACRES LOCATED NORTH AND SOUTH OF EMPY TRAIL, 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 24, 2019** and said territory being situated in Faulkner County, Arkansas, shall be a part of the City of Conway and shall be zoned **A-1**. Legal description as follows:

Being a part of the NE1/4 SE1/4 and a part of the SE1/4 NE1/4 of Section 3, T-4-N, R-14-W, and also a part of the NW1/4 SW1/4 and a part of the SW1/4 NW1/4 of Section 2, T-4-N, R-14-W, all in Faulkner County, Arkansas more particularly described as follows:

Commencing at the SW corner of said NE1/4 SE1/4 of Section 3, T-4-N, R-14-W; thence N01°40'00"E 207.50 feet; thence S88°15'02"E 798.81 feet to a point on the City Limits Boundary of the City of Conway; thence along said Boundary, N01°47'54"E 469.75 feet to the point of beginning; thence leaving said Boundary, West 411.68 feet; thence N05°42'07"E 395.95 feet; thence N10°35'55"E 248.30 feet; thence N37°48'37"E 431.80 feet to a point on the South Right of Way of Empy Trail; thence N37°48'37"E 186.68 feet to a point on the North Right of Way of Empy Trail; thence N02°50'18"E 144.04 feet; thence N72°31'27"E 116.62 feet; thence N46°36'08"E 63.27 feet; thence N77°13'21"E 129.87 feet; thence S63°08'53"E 189.17 feet; thence S79°52'40"E 50.20 feet to a point on the East line of said SE1/4 NE1/4, said line also being the City Limits Boundary of the City of Conway; thence along said East line / City Limits Boundary, S01°58'14"W 661.25 feet to the NW Corner of said NW1/4 SW1/4; thence leaving said East line, along the North line of said NW1/4 SW1/4, said line also still being the City Limits Boundary of the City of Conway, S87°45'24"E 108.85 feet; thence leaving said North line, continuing along said City Limits Boundary, N01°55'59"E 218.19 feet; thence continuing along said City Limits Boundary, N52°51'47"E 107.54 feet; thence continuing along said City Limits Boundary with a curve turning to the left with an arc length of 464.35 feet, with a radius of 769.85 feet, with a chord bearing of S54°24'59"E, with a chord length of 457.34 feet; thence continuing along said City Limits Boundary, S31°20'04"E 155.05 feet to a point on the West line of Lot-25 of Round Mountain Subdivision (Plat of Records of Faulkner County Book E Page 72); thence continuing along said City Limits Boundary, as well as along said West line of Lot-25, S12°22'38"W 286.52 feet to the NW Corner of Lot-22 of Round Mountain Subdivision; thence leaving the West line of Lot-25, along the West line of Lot-22, as well as continuing along said City Limits Boundary, S11°45'45"W 137.65 feet to the NE Corner of Lot-21 of said Round Mountain Subdivision; thence leaving said West line of Lot-22, along the North line of said Lot-21, as well as continuing along said City Limits Boundary, N87°55'00"W 196.27 feet; thence continuing along said North line, as well as continuing along said City Limits Boundary, S61°15'09"W 220.15 feet to the NE Corner of Lot-20 of said Round Mountain Subdivision; thence leaving said North line of said Lot-21, along the North line of said Lot-20, as well as continuing along said City Limits Boundary, N77°00'00"W 300.00 feet; thence along the East line of said Lot-20, as well as continuing along said City Limits Boundary, N01°20'34"E 100.00 feet; thence continuing along the North line of said Lot-20, as well as continuing along said City Limits Boundary, N88°15'03"W 419.73 feet to the NW Corner of said Lot-20; thence along the West line of said Lot-

20, as well as continuing along said City Limits Boundary, S01°45'57"W 169.79 feet to the point of beginning, containing 31.18 acres more or less.

Subject to all roadways, easements and reservations that are of record or physically in place.

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 streets and portions of as public street for maintenance and for the purpose of providing street frontage for the issuance of building permits.

Orchard Hills Drive and the portion of Empy Trail that fronts upon the property

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 26th day of November, 2019.

Approved:


Mayor Bart Castleberry

Attest:


Michael O. Garrett
City Clerk/Treasurer



FILED

IN THE COUNTY COURT OF FAULKNER COUNTY, ARKANSAS

OCT 24 2019

Shaw Properties, LLC et al, Petitioner

CC-19-08

MARGARET DARTER
FAULKNER COUNTY CLERK
BY D. Wells DC


ORDER

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 17, 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 Exhibits A-E should be, and hereby is, released for annexation into the City of Conway:

IT IS SO ORDERED.


HON. JIM B. BAKER
Faulkner County Judge

Dated Oct. 24th, 2019

Clerk's Certificate

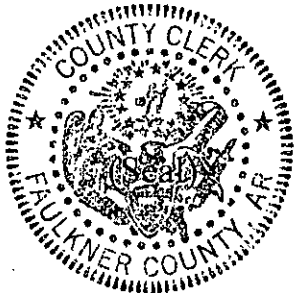
STATE OF ARKANSAS
COUNTY OF FAULKNER

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-19-08

Witness my hand and seal as such Clerk on this 5th day of February, 2019.

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-19-08
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

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 10th day of December, 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 12th day of December, 2019.


CITY CLERK-TREASURER



Attachment A



Tyler Group
surveying · mapping · engineering

240 Skyline Drive, Suite 3000 · Conway, Arkansas 72032
(501) 329-1400 office · (501) 327-3972 Fax

LEGAL DESCRIPTION:

Being a part of the NE 1/4 SE 1/4 and a part of the SE 1/4 NE 1/4, all in Section 3, T-4-N, R-14-W, Faulkner County Arkansas more particularly described as follows;

Commencing at a stone for the Southwest corner of said NE 1/4 SE 1/4 of said Section 3; thence N 01° 40' 00" E along the West line of said NE 1/4 SE 1/4 207.50 feet to a 3/4 inch Crimped Pipe; thence S 88° 15' 02" E 798.81 feet to a 3/4 inch Crimped Pipe; thence N 01° 47' 54" E 469.75 feet to the point of beginning; thence West 411.68 feet; thence N 05° 42' 07" E 395.95 feet; thence N 10° 35' 55" E 248.30 feet; thence N 37° 48' 37" E 431.80 feet to the South Right of Way of Empy Trail; thence along said Right of Way S 49° 48' 01" E 48.31 feet to a curve to the left having a radius of 622.96 feet; thence along said curve and said right of way a chord bearing and distance of S 54° 33' 40" E 565.44 feet to a rebar and cap; thence leaving said Right of Way S 01° 20' 34" W 463.38 feet to a 3/4 inch pipe; thence N 88° 15' 03" W 419.73 feet to a pinched top pipe; thence S 01° 47' 54" W 169.80 feet to the point of beginning, containing 12.46 acres, more or less.

"Attachment B"

Document# 1201902647 Page 1 of 3

Faulkner County Title Company
711 Locust Street
Conway, AR 72034



1201902647
CERTIFICATE OF RECORD
FAULKNER CO. AR. FEE \$26.00
RECORDED: 02/28/2018 11:45:21 AM
CRYSTAL TAYLOR
CIRCUIT CLERK
BY: L. BALMARTNER, D.C.
DEED
3 Pages

WARRANTY DEED MARRIED PERSONS

KNOW ALL MEN BY THESE PRESENTS:

THAT, Jeremy A. Sparks and Jamie J. Sparks, husband and wife, hereinafter called Grantors, for and in consideration of the sum of One and no one hundredths (\$1.00) Dollars and other good and valuable consideration in hand paid by Tyler Roberts and Ashley Lynn Roberts, husband and wife, the receipt of which is hereby acknowledged, do hereby grant, bargain sell and convey unto the said, Tyler Roberts and Ashley Lynn Roberts, husband and wife, hereinafter called Grantees, and unto their heirs and assigns forever, the following lands lying in the County of Faulkner and State of Arkansas, to wit:

A part of the SE1/4 NE1/4, Section 3, T-4-N, R-14-W, Faulkner County, Arkansas being more particularly described as follows: Commencing at a found 3/8" rebar for the Southeast corner of said SE1/4 NE1/4; thence along the East line of said SE1/4 NE1/4 N01°57'31"E a distance of 89.87 feet to a set 1/2" rebar w/cap (1363) being on the North right of way of a County Road and the point of beginning; thence leaving said East line and along said North right of way the following calls: N87°49'25"W a distance of 34.06 feet to a set 1/2" rebar w/cap (1363); thence with a curve bearing to the right with an arc length of 688.56 feet, with a radius of 822.96 feet, with a chord bearing of N55°25'15"W, with a chord length of 557.99 feet to a set 1/2" rebar w/cap (1363); thence N02°50'18"E a distance of 241.73 feet to a set 1/2" rebar w/cap (1363); thence leaving said right of way N72°31'27"E a distance of 116.62 feet to a set 1/2" rebar w/cap (1363); thence N46°45'09"E a distance of 63.27 feet to a set 1/2" rebar w/cap (1363); thence N77°19'21"E a distance of 129.87 feet to a set 1/2" rebar w/cap (1363); thence S63°08'53"E a distance of 189.17 feet to a set 1/2" rebar w/cap (1363); thence S79°32'40"E a distance of 50.20 feet to a set 1/2" rebar w/cap (1363) being on the East line of said SE1/4 NE1/4; thence along said East line S01°57'33"W a distance of 670.51 feet to the point of beginning. Subject to all rights of way, covenants, easements and restrictions on record or physically in place.

To have and to hold the same unto the said Grantees and unto their heirs and assigns forever, with all appurtenances thereunto belonging.

And we hereby covenant with said Grantees that we will forever warrant and defend the title to said lands against all lawful claims whatever, subject to existing easements, building lines, restrictions and assessments of record, if any. No warranty or representation is made as to any mineral interest on the aforementioned property.

AND we, Jeremy A. Sparks and Jamie J. Sparks, husband and wife, for the consideration recited herein, do hereby release and relinquish unto the said Grantees all our rights of courtesy and dower and homestead in and to the said lands.

Prepared under the supervision of
James F. Pender
Attorney At Law
419 N. McKinley Street, Ste 1200
Little Rock, AR 72205

“Attachments C”

②
FCL



L201812681
CERTIFICATE OF RECORD
FAULKNER CO, AR FEE \$25.00
RECORDED: 08-10-2018 02:29:00 PM
CRYSTAL TAYLOR
CIRCUIT CLERK
BY: DIANA VARNER, D.C.

Faulkner County Title Company
711 Locust Street
Cortway, AR 72034

File # 103-181305-ABW

DEED
3 Pages

WARRANTY DEED
(Limited Liability Company)

KNOW ALL MEN BY THESE PRESENTS:

That, Phideux, LLC, hereinafter referred to as Grantor, organized under and by virtue of the laws of the State of Arkansas, by its Member, duly authorized by proper resolution of its Members, for the consideration of the sum of One and No One Hundredths (\$1.00) Dollars and other good and valuable consideration in hand paid by Jerald Lee James and Carol Ann James, husband and wife, hereinafter referred to as Grantees, the receipt of which is hereby acknowledged, does grant, bargain, sell and convey unto the said Jerald Lee James and Carol Ann James, husband and wife and unto their heirs and assigns forever the following lands lying in the County of Faulkner, and State of Arkansas, to-wit:

Part of the NW 1/4 SW 1/4 Section 2 and Part of the NE 1/4 SE 1/4 Section 3, All lying in Township 4 North, Range 14 West, Faulkner County, Arkansas, being more particularly described as follows: Beginning at a found 3/8" rebar for the Northwest corner of said NW 1/4 SW 1/4, said point also being on the South Right of Way of a County Road; thence along said right of way the following calls: South 87 degrees 45 minutes 24 seconds East a distance of 389.99 feet to a set 1/2" rebar w/cap (1363); thence with a curve turning to the Left with an Arc length of 187.15 feet, with a radius of 869.85 feet, with a chord bearing of South 68 degrees 09 minutes 59 seconds East, with a chord length of 166.89 feet to a set 1/2" rebar w/cap (1363); thence South 71 degrees 40 minutes 16 seconds East a distance of 118.07 feet to a set 1/2" rebar w/cap (1363) for the Northwest corner of Lot 25 of Round Mountain Subdivision as shown in Plat Book E, Page 72 in the records of Faulkner County, Arkansas; thence leaving said right of way and along the West line of said Lot 25, South 12 degrees 22 minutes 38 seconds West a distance of 286.52 feet to a found 3/8" all thread for the Northwest corner Lot 22 of said Round Mountain Subdivision; thence along West line of said Lot 22, South 11 degrees 45 minutes 45 seconds West a distance of 137.85 feet to a found 3/4" orrimped pipe for the Northeast corner of Lot 21 of said Round Mountain Subdivision; thence along the North line said Lot 21, North 87 degrees 55 minutes 00 seconds West a distance of 196.27 feet to a found RDF Cap; thence continue along said North line South 61 degrees 15 minutes 09 seconds West a distance of 220.15 feet to a found RDF Cap for the Northeast corner of Lot 20 of said Round Mountain Subdivision; thence along the North line of said Lot 20 North 77 degrees 00 minutes 00 seconds West a distance of 300.00 feet to a found RDF Cap; thence continue along said North line North 01 degrees 42 minutes 48 seconds East a distance of 100.00 feet to a found 3/4" pipe for the Northeast corner of said Lot 20; thence leaving said North line North 01 degrees 20 minutes 34 seconds East a distance of 463.38 feet to a set 1/2" rebar w/cap (1363) being on the South Right of Way of a County Road; thence along said South Right of Way the following calls: with a curve turning to the left with an arc length of 68.23 feet, with a radius of 622.96 feet, with a chord bearing of South 84 degrees 41 minutes 20 seconds East, with a chord length of 68.20 feet to a set 1/2" rebar w/cap (1363); thence South 87 degrees 49 minutes 35 seconds East a distance of 34.49 feet to a set 1/2" rebar w/cap (1363); thence North 01 degrees 58 minutes 27 seconds East a distance of 10.13 feet to the Point of Beginning.

To have and to hold the same unto the said Grantees and unto their heirs and assigns forever, with all appurtenances thereunto belonging.

And Grantor hereby covenants with the said Grantees that it will forever warrant and defend the title to said lands against all claims whatsoever, subject to existing easements, building lines, restrictions and assessments of record, if any. No warranty or representation is made as to any mineral interest on the aforementioned property.

Prepared under the supervision of
James R. Pender
Attorney At Law
415 N. McKinley Street, Ste 1200
Little Rock, AR 72205

Exhibit D

APPLICATION REQUESTING ANNEXATION

Conway Planning Commission • City of Conway, Arkansas

Cathy Engelkes & Holly Marr hereby petitions the City of Conway, Arkansas for annexation
name of applicant
of the following lands into the City of Conway.

[enter legal description]

SW1/4, NW1/4, SECTION 2, THENCE S 89 DEG. 41'25"E, ALONG SOUTH LINE OF SAID SW1/4, NW1/4, SECTION 2, 108.85 FEET; THENCE NORTH 80 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH, 138.19 FEET; THENCE N50'55' 46"E, 7.54 FEET TO A POINT ON THE SOUTHERLY STREET RIGHT OF WAY LINE OF AN EXISTING STREET RIGHT OF WAY (SHOWN ON PLAT E-72); THENCE ALONG SAID EXISTING SOUTHERLY RIGHT OF WAY LINE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 869.85' TO A CHORD BEARING S45 DEG 53' 22"E, 206.56 FEET; THENCE N89 DEG 41'25"W, 154.17' TO THE POINT OF BEGINNING CONTAINING 0.243 ACRES MORE OR LESS.
AND ALL ADJOINING PUBLIC RIGHTS OF WAY

and requests the property to be zoned _____ upon annexation.
desired zoning classification

All petitioners must sign

Name HOPLY MARR, CATHY ENGELKES

Address 2785 ORCHARD PARK RD

City, State, Zip CONWAY, AR 72034


Signature 

Exhibit E

APPLICATION REQUESTING ANNEXATION

Conway Planning Commission • City of Conway, Arkansas

Cathy Engelkes & Holly Marr hereby petitions the City of Conway, Arkansas for annexation
name of applicant
of the following lands into the City of Conway.

[enter legal description]

A portion of an existing 100 foot wide Street Right of Way situated in the Northwestern portion of Round Mountain Subdivision (shown on Plat E-72) and being situated in the Southwestern portion of the SW 1/4, NW 1/4 Section 2, T-4-N, R-14-W, Faulkner County, Arkansas being more particularly described as follows:

Commencing at the Southwest Corner of the SW 1/4, NW 1/4 Section 2, T-4-N, R-14-W, Faulkner County, Arkansas, thence S89°41'25"E, along the south line of said SW 1/4, NW 1/4 Section 2, 108.85 feet; thence North, 218.19 feet; thence N50°55'46"E, 7.54 feet to a point on the southerly street right of way line of an existing street right of way (shown on Plat E-72) and the Point of Beginning; thence along said existing southerly right of way line along a curve to the left having a radius of 869.85 feet and a chord bearing S45°53'22"E, 206.56 feet; thence S89°41'25"E, 154.17 feet; thence S73°37'47"E, 162.45 feet; thence along a curve to the right having a radius of 769.85 feet and a chord bearing N56°21'00"W, 457.34 feet; thence S50°55'46"W, 100.00 feet to the Point of Beginning and containing 0.629 acres more or less.

and requests the property to be zoned _____ upon annexation.
desired zoning classification

All petitioners must sign

Cathy Engelkes
Name Holly Marr

Address 2785 Orchard PK Rd

City, State, Zip Conway, AR 72034

Signature [Handwritten Signature]

FILED

OCT 17 2019

SHAW PROPERTIES, LLC, TYLER & ASHLEY ROBERTS, JERALD AND CAROL JAMES, CLERK
CATHY ENGELKES AND HOLLY MARR AND RICHARD COLLINS, DBA PHIDEUX, INC. DC

PETITION OF ANNEXATION

Shaw Properties, LLC, Frank E. Shaw, Tyler and Ashley Roberts, Jerald and Carol James, Cathy Engelkes and Holly Marr and Richard Collins dba Phideux, Inc. for their petition for annexation of certain lands into the City of Conway, Arkansas states:

1. The petitioners are owners of all the following described lands in Faulkner County, Arkansas:

SEE ATTACHMENTS A, B, C

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. Included within 3 years the area will have Conway Corporation electricity, water, garbage pick-up, Conway Fire and Police access.

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

Petitioner #1, Shaw Properties, LLC
by Frank E. Shaw 

Address: 1315 Main Street

Conway, AR 72034

Petitioner #2 Tyler Roberts

Tyler Roberts

Address: 4520 Thompson St

City, State Conway, AR 72034

Petitioner #3 Ashley Roberts

Ashley Roberts

Address: 4520 Thompson St.

City, State Conway, AR 72034

Petitioner #4 Jerald James

Jerald James

Address: 3750 MARLEIGH DR

City, State CONWAY, AR 72034

Petitioner #5 Carol James

Carol James

Address: 3750 Marleigh Dr.

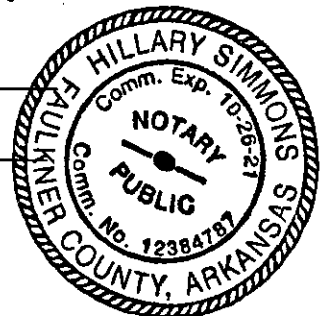
City, State Conway Ar 72034

State of Arkansas, County of Faulkner

Subscribed and sworn to before me on this 19 day of August, 2019
by the petitioners listed above.

Signature of Notary Public Hillary Simmons

My Commission Expires: 10/26/2021



Petitioner #6 Cathy Engelkes

Cathy Engelkes

2785 Orchard Plk Rd

City, State Conway, AR 72034

Petitioner #7 Holly Marr

Holly Marr

Address 2785 ORCHARD PARK RD

City, State CONWAY, AR

Petitioner #8 Richard Collins dba Phideux, Inc.

Richard Collins

Address 2421 College Ave. Apt. 313

City, State CONWAY, AR 72034

State of Arkansas, County of Faulkner

Subscribed and sworn to before me on this 17 day of October, 2019
by the petitioners listed above.

Signature of Notary Public Cindy Lucas

My Commission Expires: 6/7/23

Cindy Lucas
Faulkner
NOTARY PUBLIC - ARKANSAS
My Commission Expires June 07, 2023
Commission No. 12394103

APPLICATION REQUESTING ANNEXATION

Conway Planning Commission • City of Conway, Arkansas

Frauk
Shaw Properties, L.L.C.
name of applicant

hereby petitions the City of Conway, Arkansas for annexation

of the following lands into the City of Conway.

[enter legal description]

See Attachment A

and requests the property to be zoned _____ upon annexation.
desired zoning classification

All petitioners must sign

Name FRANK E SHAW

Address 1305 MAIN ST

City, State, Zip Conway, Ar 72034

Signature FRANK E SHAW

Attachment A



Tyler Group
surveying · mapping · engineering

240 Skyline Drive, Suite 3000 · Conway, Arkansas 72032
(501) 329-1400 office · (501) 327-3972 Fax

LEGAL DESCRIPTION: —

Being a part of the NE 1/4 SE 1/4 and a part of the SE 1/4 NE 1/4, all in Section 3, T-4-N, R-14-W, Faulkner County Arkansas more particularly described as follows;

Commencing at a stone for the Southwest corner of said NE 1/4 SE 1/4 of said Section 3; thence N 01° 40' 00" E along the West line of said NE 1/4 SE 1/4 207.50 feet to a 3/4 inch Crimped Pipe; thence S 88° 15' 02" E 798.81 feet to a 3/4 inch Crimped Pipe; thence N 01° 47' 54" E 469.75 feet to the point of beginning; thence West 411.68 feet; thence N 05° 42' 07" E 395.95 feet; thence N 10° 35' 55" E 248.30 feet; thence N 37° 48' 37" E 431.80 feet to the South Right of Way of Empey Trail; thence along said Right of Way S 49° 48' 01" E 48.31 feet to a curve to the left having a radius of 622.96 feet; thence along said curve and said right of way a chord bearing and distance of S 54° 33' 40" E 565.44 feet to a rebar and cap; thence leaving said Right of Way S 01° 20' 34" W 463.38 feet to a 3/4 inch pipe; thence N 88° 15' 03" W 419.73 feet to a pinched top pipe; thence S 01° 47' 54" W 169.80 feet to the point of beginning, containing 12.46 acres, more or less.

APPLICATION REQUESTING ANNEXATION

Conway Planning Commission • City of Conway, Arkansas

Tyler and Ashley Roberts hereby petitions the City of Conway, Arkansas for annexation
name of applicant
of the following lands into the City of Conway.

[enter legal description]

See Attachment B

and requests the property to be zoned _____ upon annexation.
desired zoning classification

All petitioners must sign

Name Tyler & Ashley Roberts

Address 4520 Thompson St.

City, State, Zip Conway, AR 72034

Signature Ashley Roberts Tyler Roberts

"Attachment B"

Document# L201902647 Page 1 of 3

Faulkner County Title Company
711 Locust Street
Conway, AR 72034



WARRANTY DEED MARRIED PERSONS

L201902647

CERTIFICATE OF RECORD
FAULKNER CO. AR FEE \$26.00

RECORDED: 03-28-2018 11:42:53 AM

CRYSTAL TAYLOR
CLERK

BY: LIZ BAUMGARTNER, D.C.

DEED

3 Pages

KNOW ALL MEN BY THESE PRESENTS:

THAT, Jeremy A. Sparks and Janile J. Sparks, husband and wife, hereinafter called Grantors, for and in consideration of the sum of One and no one hundredths (\$1.00) Dollars and other good and valuable consideration in hand paid by Tyler Roberts and Ashley Lynn Roberts, husband and wife, the receipt of which is hereby acknowledged, do hereby grant, bargain sell and convey unto the said, Tyler Roberts and Ashley Lynn Roberts, husband and wife, hereinafter called Grantees, and unto their heirs and assigns forever, the following lands lying in the County of Faulkner and State of Arkansas, to wit:

A part of the SE1/4 NE1/4, Section 3, T-4-N, R-14-W, Faulkner County, Arkansas being more particularly described as follows: Commencing at a found 3/8" rebar for the Southeast corner of said SE1/4 NE1/4; thence along the East line of said SE1/4 NE1/4 N01°57'31"E a distance of 89.87 feet to a set 1/2" rebar w/cap (1363) being on the North right of way of a County Road and the point of beginning; thence leaving said East line and along said North right of way the following calls: N87°49'35"W a distance of 34.06 feet to a set 1/2" rebar w/cap (1363); thence with a curve turning to the right with an arc length of 688.56 feet, with a radius of 622.86 feet, with a chord bearing of N55°35'05"W, with a chord length of 557.93 feet to a set 1/2" rebar w/cap (1363); thence N02°50'18"E a distance of 241.73 feet to a set 1/2" rebar w/cap (1363); thence leaving said right of way N72°31'27"E a distance of 116.62 feet to a set 1/2" rebar w/cap (1363); thence N46°35'08"E a distance of 63.27 feet to a set 1/2" rebar w/cap (1363); thence N77°13'21"E a distance of 129.87 feet to a set 1/2" rebar w/cap (1363); thence S63°05'53"E a distance of 50.20 feet to a set 1/2" rebar w/cap (1363); thence S78°52'40"E a distance of 50.20 feet to a set 1/2" rebar w/cap (1363) being on the East line of said SE1/4 NE1/4; thence along said East line S01°57'33"W a distance of 570.51 feet to the point of beginning, Subject to all rights of way, covenants, easements and restrictions on record or physically in place.

To have and to hold the same unto the said Grantees and unto their heirs and assigns forever, with all appurtenances thereunto belonging.

And we hereby covenant with said Grantees that we will forever warrant and defend the title to said lands against all lawful claims whatever, subject to existing easements, building lines, restrictions and assessments of record, if any. No warranty or representation is made as to any mineral interest on the aforementioned property.

AND we, Jeremy A. Sparks and Janile J. Sparks, husband and wife, for the consideration recited herein, do hereby release and relinquish unto the said Grantees all our rights of curtesy and dower and homestead in and to the said lands.

Prepared under the supervision of
James R. Pender
Attorney At Law
415 N. McKinley Street, 6th 1200
Little Rock, AR 72205

APPLICATION REQUESTING ANNEXATION

Conway Planning Commission • City of Conway, Arkansas

Jerald and Carol James name of applicant hereby petitions the City of Conway, Arkansas for annexation of the following lands into the City of Conway.

[enter legal description]

See Attachment C

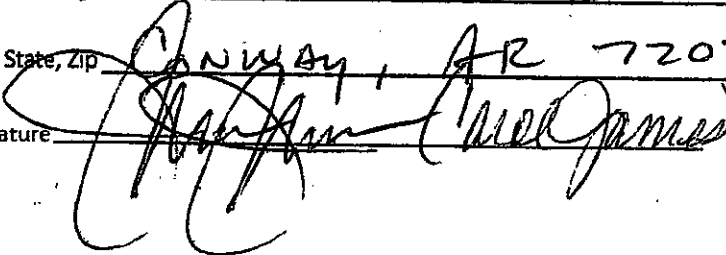
and requests the property to be zoned R1 desired zoning classification upon annexation.

All petitioners must sign

Name GERALD & CAROL JAMES

Address 3750 MARLEIGH DR

City, State, Zip Conway, AR 72034

Signature 

"Attachments C"

③
FCT



Faulkner County Title Company
711 Locust Street
Corway, AR 72034

File # 103-181305-ABW



L201812681
CERTIFICATE OF RECORD
FAULKNER CO, AR FEE \$25.00
RECORDED: 08-10-2018 03:29:00 PM
CRYSTAL TAYLOR
CIRCUIT CLERK
BY: DIANA VARNER, D.C.

DEED
3 Pages

WARRANTY DEED
(Limited Liability Company)

KNOW ALL MEN BY THESE PRESENTS:

That, **Phildeux, LLC**, hereinafter referred to as Grantor, organized under and by virtue of the laws of the State of Arkansas, by its Member, duly authorized by proper resolution of its Members, for the consideration of the sum of One and No One Hundredths (\$1.00) Dollars and other good and valuable consideration in hand paid by **Jerald Lee James and Carol Ann James**, husband and wife, hereinafter referred to as Grantees, the receipt of which is hereby acknowledged, does grant, bargain, sell and convey unto the said **Jerald Lee James and Carol Ann James**, husband and wife and unto their heirs and assigns forever the following lands lying in the County of Faulkner, and State of Arkansas, to-wit:

Part of the NW 1/4 SW 1/4 Section 2 and Part of the NE 1/4 SE 1/4 Section 3, All lying in Township 4 North, Range 14 West, Faulkner County, Arkansas, being more particularly described as follows: Beginning at a found 3/8" rebar for the Northwest corner of said NW 1/4 SW 1/4, said point also being on the South Right of Way of a County Road; thence along said right of way the following calls: South 87 degrees 45 minutes 24 seconds East a distance of 389.99 feet to a set 1/2" rebar w/cap (1363); thence with a curve turning to the Left with an Arc length of 167.15 feet, with a radius of 869.85 feet, with a chord bearing of South 68 degrees 09 minutes 59 seconds East, with a chord length of 166.89 feet to a set 1/2" rebar w/cap (1363); thence South 71 degrees 40 minutes 16 seconds East a distance of 118.07 feet to a set 1/2" rebar w/cap (1363) for the Northwest corner of Lot 26 of Round Mountain Subdivision as shown in Plat Book E, Page 72 in the records of Faulkner County, Arkansas; thence leaving said right of way and along the West line of said Lot 26, South 12 degrees 22 minutes 38 seconds West a distance of 286.52 feet to a found 3/8" all thread for the Northwest corner Lot 22 of said Round Mountain Subdivision; thence along West line of said Lot 22, South 11 degrees 45 minutes 45 seconds West a distance of 137.85 feet to a found 3/4" crimped pipe for the Northeast corner of Lot 21 of said Round Mountain Subdivision; thence along the North line said Lot 21, North 87 degrees 55 minutes 00 seconds West a distance of 196.27 feet to a found RDF Cap; thence continue along said North line South 61 degrees 15 minutes 09 seconds West a distance of 220.15 feet to a found RDF Cap for the Northeast corner of Lot 20 of said Round Mountain Subdivision; thence along the North line of said Lot 20 North 77 degrees 00 minutes 00 seconds West a distance of 300.00 feet to a found RDF Cap; thence continue along said North line North 01 degrees 42 minutes 46 seconds East a distance of 100.00 feet to a found 3/4" pipe for the Northeast corner of said Lot 20; thence leaving said North line North 01 degrees 20 minutes 34 seconds East a distance of 463.38 feet to a set 1/2" rebar w/cap (1363) being on the South Right of Way of a County Road; thence along said South Right of Way the following calls: with a curve turning to the left with an arc length of 66.23 feet, with a radius of 622.96 feet, with a chord bearing of South 84 degrees 41 minutes 20 seconds East, with a chord length of 68.20 feet to a set 1/2" rebar w/cap (1363); thence South 87 degrees 49 minutes 35 seconds East a distance of 34.43 feet to a set 1/2" rebar w/cap (1363); thence North 01 degrees 58 minutes 27 seconds East a distance of 10.13 feet to the Point of Beginning.

To have and to hold the same unto the said Grantees and unto their heirs and assigns forever, with all appurtenances thereunto belonging.

And Grantor hereby covenants with the said Grantees that it will forever warrant and defend the title to said lands against all claims whatsoever, subject to existing easements, building lines, restrictions and assessments of record, if any. No warranty or representation is made as to any mineral interest on the aforementioned property.

Prepared under the supervision of
James R. Pender
Attorney At Law
416 N. McKinley Street, Ste 1200
Little Rock, AR 72205

APPLICATION REQUESTING ANNEXATION

Conway Planning Commission • City of Conway, Arkansas

Cathy Engelkes & Holly Marr hereby petitions the City of Conway, Arkansas for annexation
name of applicant
of the following lands into the City of Conway.

[enter legal description]

SW1/4, NW1/4, SECTION 2, THENCE S 89 DEG. 41'25"E, ALONG SOUTH LINE OF SAID SW1/4, NW1/4, SECTION 2, 108.85 FEET; THENCE NORTH 80 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH, 138.19 FEET; THENCE N50'55' 46"E, 7.54 FEET TO A POINT ON THE SOUTHERLY STREET RIGHT OF WAY LINE OF AN EXISTING STREET RIGHT OF WAY (SHOWN ON PLAT E-72); THENCE ALONG SAID EXISTING SOUTHERLY RIGHT OF WAY LINE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 869.85' TO A CHORD BEARING S45 DEG 53' 22"E, 206.56 FEET; THENCE N89 DEG 41'25"W, 154.17' TO THE POINT OF BEGINNING CONTAINING 0.243 ACRES MORE OR LESS.
AND ALL ADJOINING PUBLIC RIGHTS OF WAY

and requests the property to be zoned _____ upon annexation.
desired zoning classification

All petitioners must sign

Name HOLLY MARR, CATHY ENGELKES

Address 2785 ORCHARD PARK RD

City, State, Zip CONWAY, AR 72034

Signature [Handwritten Signature]

APPLICATION REQUESTING ANNEXATION

Conway Planning Commission • City of Conway, Arkansas

Cathy Engelkes & Holly Marr hereby petitions the City of Conway, Arkansas for annexation
name of applicant
of the following lands into the City of Conway.

[enter legal description]

A portion of an existing 100 foot wide Street Right of Way situated in the Northwestern portion of Round Mountain Subdivision (shown on Plat E-72) and being situated in the Southwestern portion of the SW ¼, NW ¼ Section 2, T-4-N, R-14-W, Faulkner County, Arkansas being more particularly described as follows:

Commencing at the Southwest Corner of the SW 1/4, NW 1/4 Section 2, T-4-N, R-14-W, Faulkner County, Arkansas, thence S89°41'25"E, along the south line of said SW 1/4, NW 1/4 Section 2, 108.85 feet; thence North, 218.19 feet; thence N50°55'46"E, 7.54 feet to a point on the southerly street right of way line of an existing street right of way (shown on Plat E-72) and the Point of Beginning; thence along said existing southerly right of way line along a curve to the left having a radius of 869.85 feet and a chord bearing S45°53'22"E, 206.56 feet; thence S89°41'25"E, 154.17 feet; thence S73°37'47"E, 162.45 feet; thence along a curve to the right having a radius of 769.85 feet and a chord bearing N56°21'00"W, 457.34 feet; thence S50°55'46"W, 100.00 feet to the Point of Beginning and containing 0.629 acres more or less.

and requests the property to be zoned _____ upon annexation.
desired zoning classification

All petitioners must sign

Cathy Engelkes
Name Holly Marr

Address 2785 Orchard PK Rd

City, State, Zip Conway, AR 72034

Signature [Handwritten Signatures]

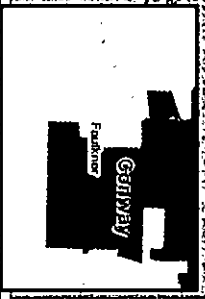
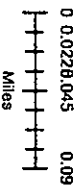
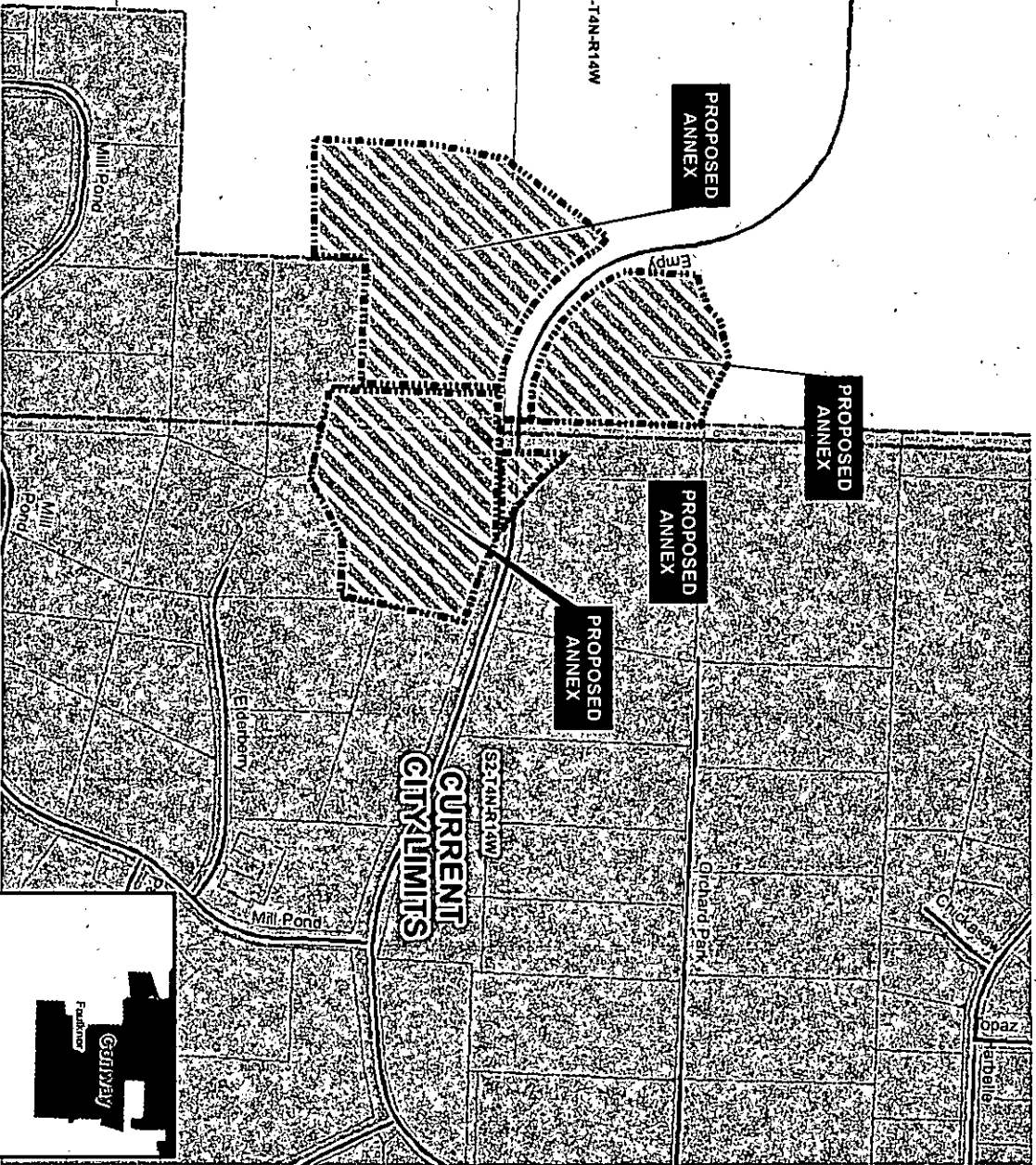
Proposed Annex: City of Conway
 October 2019

City: Conway
 Mayor: Bart Castleberry

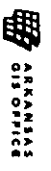
Arkansas Code 14-40-101.

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, in evidence, the entity has met requirements of Act 914 of 2015



H2577_AnnexationOrdinanceConway20190729





**ARKANSAS
GIS OFFICE**

**Department of Transformation
and Shared Services**
Governor Asa Hutchinson
Secretary Amy Fecher
Director Shelby Johnson

October 16, 2019

Ms. Diana Clements
Shaw Properties of Conway
650 Locust St.
Conway, AR 72034

RE: City of Conway Annexation Coordination Requirement

Ms. Clements,

Thank you for coordinating with our office as you seek to annex property into the City of Conway, AR located in Sections 2 and 3, Township 4 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 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

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

H:\City_Annexations\Cities\Conway\20190729\Doc\20191016_Conway_Annexation_Coordination_Letter.docx

ARKANSAS GIS OFFICE
1 Capitol Mall, Suite 6D • Little Rock, AR 72201 • 501.682.2767
gis.arkansas.gov • transform.ar.gov



