



JOHN THURSTON

ARKANSAS SECRETARY OF STATE

March 1, 2021

The Hon. Dawn Porterfield
Lonoke County Clerk
301 N. Center St.
Lonoke, AR 72086

Re: City of Cabot Annexation Ordinance O-2020-29

Dear Ms. Porterfield,

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: 10/21/2020

County: Lonoke

City: Cabot

City Ordinance: O-2020-29

Dated: 9/21/2020

County Court Order: C-2020-125

Date Filed: 7/27/2020

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 cursive script, 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. Ken Kincade, Mayor of Cabot (w/encl)
Mr. Chris Lacy, Cabot City Attorney (w/encl)



Arkansas Secretary of State

Mark Martin

State Capitol 500 Woodlone Ave Suite 256 • Little Rock, AR 72201-1094

Municipal Boundary Change Form

County: Lonoke City/Town: Cabot

City Ordinance/Resolution No: 0-2020-29 Date approved: 9/21/20

County Court Case No: C-2020-125 Date Order Filed: 7/27/20

Type: Annexation Heritage Meadows 14-40-609

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

Date Change Effective: 10/21/2020 Emergency clause: Yes No

For Circuit Court Challenge: Date Filed: _____ Upheld Overturned Other (attach explanation)

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 (not required for A.C.A § 14-40-1801)
- File marked copy of County Court Order (not required for A.C.A. § 14-40-501)
- Proof of Publication for all Legal Notices (Hearing, Election, City Ordinance/Resolution)
- Copy of Arkansas GIS approved printed map and certification letter
- File marked copy of Petition Part or File marked copy of the certified special election results (if applicable)
- File marked copy of Complaint and final Circuit Court Order (Court Challenge only)

Municipal Contact:

Name: Chris Lacy Title: agent (attorney)

Street Address: P.O. Box 1549

City: Cabot St: AR Zip code: 72023

City/County Official:

Signature: Dawn Porterfield Title: County Clerk

Date: 11.10.20 By: Monica James Chief Deputy Clerk

(Complete one form for each ordinance/resolution and attach it as a cover page to the supporting document set. Submit the documents to Arkansas Secretary of State, 500 Woodlone Ave, Suite 256, Little Rock, AR 72201-1094)

Office of the Arkansas Secretary of State use only

Received by: [Signature]

FILED

MAR 01 2021

Arkansas Secretary of State

ORDINANCE NO. 29 OF 2020

AN ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN TERRITORY REFERRED TO AS HERITAGE MEADOWS, TO THE CITY OF CABOT, ARKANSAS AND MAKING THAT TERRITORY PART OF THE CITY OF CABOT, ARKANSAS; ASSIGNING THE ANNEXED PROPERTY TO A WARD; ZONING THE ANNEXED PROPERTY; AND FOR OTHER PURPOSES

2020 OCT 16 PM 4:08
FILED
LONOKE COUNTY CLERK
DANN PORTER
BY *MA*

WHEREAS, a Petition was filed in July of 2020, with the County Clerk of Lonoke County, Arkansas, by the real estate owners, Kathy See of R & S Homebuilders LLC, of the hereinafter described territory praying that said territory be annexed to, and made a part of the City of Cabot, Arkansas; and,

WHEREAS, the County Court of Lonoke County, Arkansas, found that the Petition was signed by a one-hundred percent (100%) of the real estate owners in said territory; that said territory was contiguous and adjoining the present corporate limits of the City of Cabot, Arkansas; that an accurate plat or map of said territory had been filed with and made a part of said Petition; and that all things pertaining thereto had been done in the manner prescribed by law, and that said lands and territory could be annexed to and made a part of the City of Cabot, Arkansas, subject to the acceptance of same by the City Council of said City at the proper time, as provided by law; and,

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

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

SECTION 1: The following described lands and territories annexed to the City of Cabot, by Order of the County Court of Lonoke County, Arkansas, by its Order be and are hereby accepted by the City of Cabot, Arkansas, said territory hereinafter described shall be

hereafter deemed and taken to be a part and parcel of the limits of the City of Cabot, Arkansas, and the inhabitants residing therein shall have and enjoy all of the rights and privileges of the inhabitants within the original limits of the City of Cabot, Arkansas. Water and sewer services are available on adjacent property to the proposed annexation. The Property owner or developer will be responsible to extend water and sewer facilities to the annexed property at their expense. Cabot Waterworks and/or Ward Water Department may require additional infrastructure improvements at the owner/developer's expense, depending on the final development plans for the property. All infrastructure improvements shall be constructed in accordance with Cabot Waterworks and Ward Water Department policies and construction specifications.

SECTION 2: The lands and territories are hereby annexed to and accepted by the City of Cabot, Arkansas, and particularly described in Exhibit "A" and as shown on Exhibit "B" of the Petition filed in the County Court of Lonoke County, Arkansas, also attached hereto and incorporated herein.

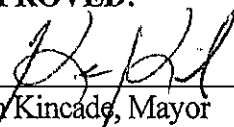
SECTION 3: The above described annexed lands and territories are hereby assigned and attached to Ward 3 of the City of Cabot, Arkansas, and the same shall henceforth be a part of said ward as fully as existing parts of said ward.

SECTION 4: The above described annexed lands and territories are hereby zoned R-1.

SECTION 5: Pursuant to state law, this annexation shall be final 30 days from passage of this ordinance.

SPONSOR:
Ken Kincade, Mayor

PASSED: 7-0
DATE: 9/21/2020
APPROVED:




Ken Kincade, Mayor

APPROVED AS TO FORM:

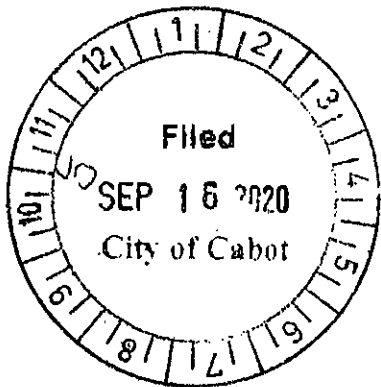


Ben Hooper, City Attorney

ATTEST:



Tammy Yocom, City Clerk-Treasurer



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

NO. C-2020-125

AMENDED ORDER

On this 27 day of July, 2020, in the County Court of Lonoke County, Arkansas, there is presented to the Court by Chris Lacy, agent of the petitioners, a petition for annexation of certain territory, hereinafter more particularly described, to the City of Cabot, Arkansas, and the Court being fully advised of the facts and the law, doth hereby find, judge and decree as follows:

The Court finds that the petition was verified and filed within fifteen (15) days prior to this date and that in said petition the said Chris Lacy is identified by the petitioner to act on their behalf in filing and presenting the petition.

The Court doth find that one hundred percent (100%) of the total number of real estate owners in the area affected by this petition have signed said petition.

The Court further finds that the territory sought to be annexed was accurately and completely described in said petition, that said territory is contiguous to the boundaries of the City of Cabot, Arkansas, and that no enclaves are created by the annexation.

The Court further finds that the petition contained a Schedule of Services of the City of Cabot.

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

The Court further finds 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 may hereby be annexed to and made a part of the City of Cabot, Arkansas, to-wit:

Legal Description – Heritage Meadows (revised 7/23/2020)

Part of the Southeast Quarter (SE ¼), Section 20, T-4-N, R-9-W, Lonoke County, Arkansas, being more particularly described as follows:

Commencing from the Southwest Corner of the SW ¼, of the SE ¼, Section 20, T-4-N, R-9-W; thence S 89 degrees 59 minutes 54 seconds E, 575.33 feet, to the Point of Beginning (POB); thence continuing N 00 degrees 44 minutes 41 seconds W, 1481.63 feet; thence N 87 degrees 10 minutes 56 seconds E, 541.53 feet; thence S 01 degrees 28 minutes 02 seconds E, 1050.01 feet; thence S 03 degrees 20 minutes 53 seconds E, 459.26 feet; thence N 89 degrees 59 minutes 54 seconds W, 575.33 feet, to the POB, containing 18.98 acres, more or less.

DATED THIS 27 DAY OF July 2020.


LONOKE COUNTY JUDGE

EXHIBIT

A

Legal Description – Heritage Meadows (revised 7/23/2020)

Part of the Southeast Quarter (SE $\frac{1}{4}$), Section 20, T-4-N, R-9-W, Lonoke County, Arkansas, being more particularly described as follows:

Commencing from the Southwest Corner of the SW $\frac{1}{4}$, of the SE $\frac{1}{4}$, Section 20, T-4-N, R-9-W; thence S 89 degrees 59 minutes 54 seconds E, 575.33 feet, to the Point of Beginning (POB); thence continuing N 00 degrees 44 minutes 41 seconds W, 1481.63 feet; thence N 87 degrees 10 minutes 56 seconds E, 541.53 feet; thence S 01 degrees 28 minutes 02 seconds E, 1050.01 feet; thence S 03 degrees 20 minutes 53 seconds E, 459.26 feet; thence N 89 degrees 59 minutes 54 seconds W, 575.33 feet, to the POB, containing 18.98 acres, more or less.

EXHIBIT

tabbles

A

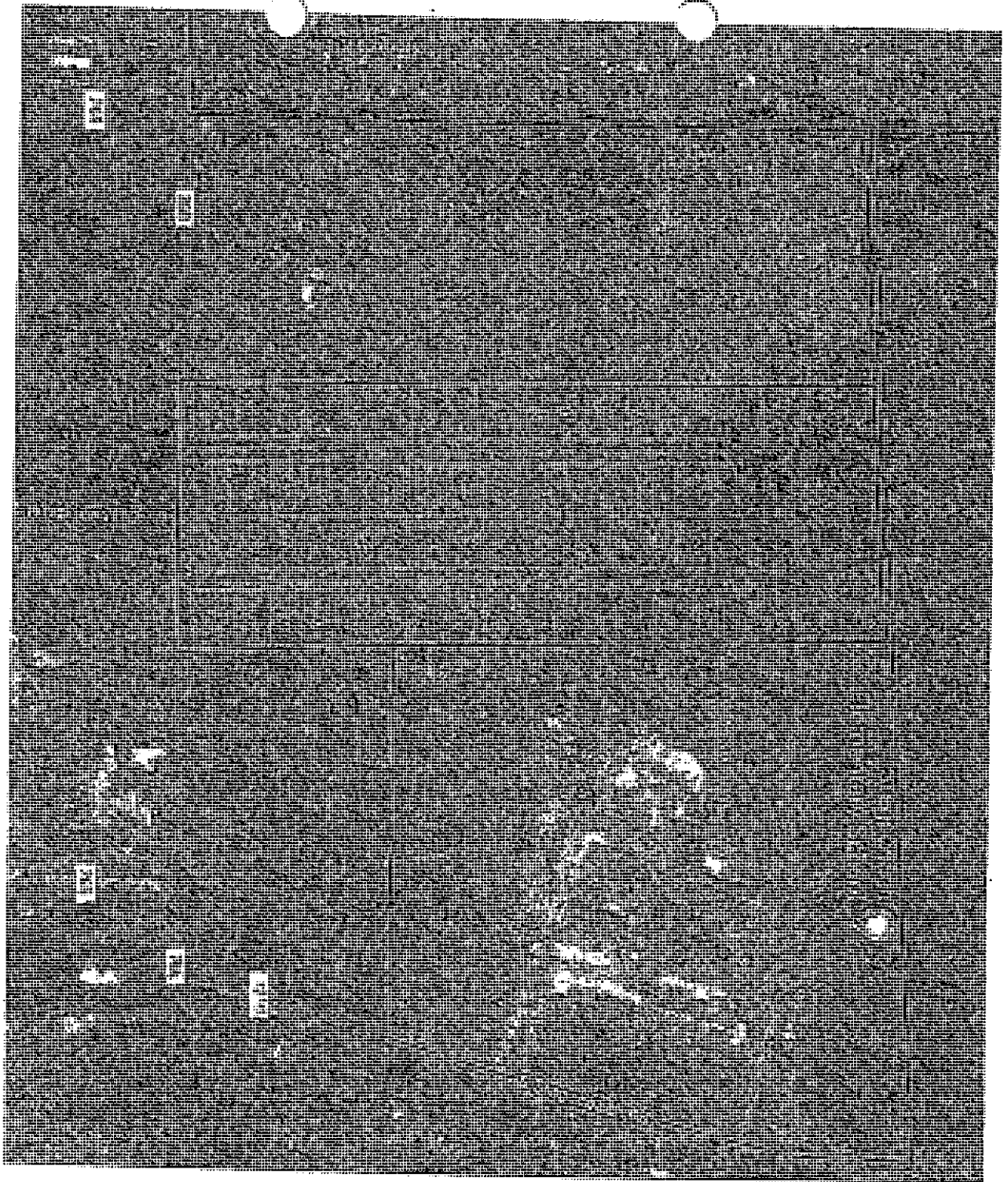
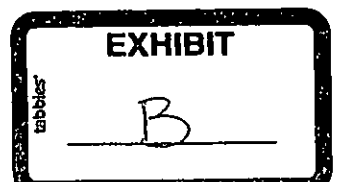


EXHIBIT
B

SCALE 1" = 200'



IN THE CITY OF CABOT, ARKANSAS AND
THE COUNTY COURT OF LONOKE COUNTY, ARKANSAS

FILED

2020 JUL 27 AM 10:44

IN THE MATTER OF ANNEXING
CERTAIN TERRITORY CONTIGUOUS TO
THE CITY OF CABOT, LONOKE COUNTY,
ARKANSAS

LONOKE COUNTY CLERK
DAWN PORTERFIELD

BY: M. James D.C.

NO: 2020-125

2nd AMENDED ANNEXATION PETITION

Comes the undersigned Petitioners and for their Annexation Petition, state:

1. That the undersigned represents a totality (100%) of the real estate owners of the within described real property as defined in Ark. Code. Ann. Section 14-40-609.
2. That they desire that the following real property be annexed to and made a part of the City of Cabot, Lonoke County, Arkansas:

Legal Description is attached hereto as Exhibit "A".

3. That the above-described property is contiguous to and adjoining the present corporate limits of the City of Cabot, Lonoke County, Arkansas.
4. That an accurate map thereof has been made and attached hereto as Exhibit "B" and made a part hereof.
5. That a letter or title opinion from a certified abstractor or title company verifying that the petitioners are all owners of record of the subject property is attached hereto as Exhibit "C" and made a part hereof.
6. That a letter or verification from a certified surveyor or engineer verifying that the subject property is contiguous with the City of Cabot, Lonoke County, Arkansas, and that no enclaves will be created if the property is accepted by the City of Cabot is attached hereto as Exhibit "D" and made a part hereof.

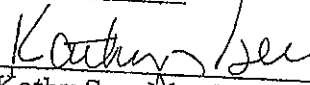
7. That a schedule of services of the City of Cabot, Arkansas that will be extended to the real property within three (3) years after the date the annexation becomes final is attached hereto as Exhibit "E" and made a part hereof.

6. That Chris Lacy has been appointed and authorized to act on behalf of the Petitioners.

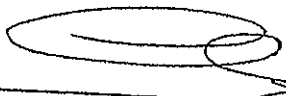
WHEREFORE, Petitioners pray that the Clerk file this Petition, and that the County Court and City Council for the City of Cabot accept and confirm the annexing of the above-described property.

PETITIONER

ADDRESS


Kathy See, Member, R & S Homebuilders LLC

2976 Hwy 38 Cabot, AR 72023

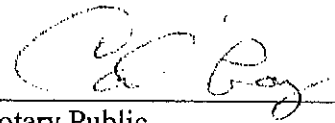

Chris Lacy, Agent for Petitioners
P.O. Box 1549
Cabot, AR 72023
P: 501-941-3730
F: 501-941-3731

ACKNOWLEDGMENT

STATE OF ARKANSAS)
COUNTY OF LONOKE)

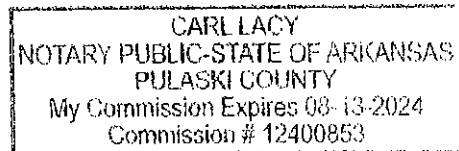
On this day, before me, the undersigned, a Notary Public, duly commissioned, qualified, and acting, within and for said County and State, appeared in person the within named Petitioners, to me personally well known, whose name is subscribed to the foregoing instrument and acknowledged that he had executed the same for the purposes set forth therein and that the facts so stated were true to the best of his knowledge and belief.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal on this 27th day of July, 2020.



Notary Public

My commission expires:
8/13/24



LEADER PUBLISHING, INC.

404 Graham Road • Jacksonville, Ark. • 72076

P.O. Box 766 • Jacksonville, Ark. • 72078

(501) 982-9421 • (501) 941-5132 • 501-985-0026 (Fax)

Publishers of The Leader on Wednesdays and Saturdays in North Pulaski, Lonoke, White and Prairie Counties
Combat Airlifter — The only officially sanctioned newspaper at Little Rock Air Force Base

State of Arkansas

County of Pulaski
County of Lonoke



This is to certify that the attached legal advertisement being
City of Cabot

In the matter of Ordinance no. 29 of 2020

versus _____

pending in the _____
court of said county, was published for 1
consecutive time(s) on the following dates:

October 21st, 2020 _____, 2020
_____, 2020 _____, 2020
_____, 2020 _____, 2020
_____, 2020 _____, 2020

in the regular edition of the THE LEADER, a newspaper of general bona fide circulation, having a Periodical Postal Permit and published continuously for a period of more than one year in the County of Lonoke, County of Pulaski, County of White or County of Prairie, State of Arkansas.

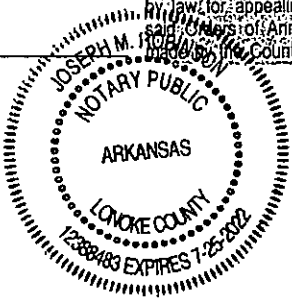
PUBLICATION FEE: \$ 119.40

By: Thomas Alvis
(for Garrick Feldman, publisher)

State of Arkansas
County of Lonoke

SUBSCRIBED AND SWORN TO BEFORE ME ON
THIS 23rd DAY OF October, 2020.

Joseph M. Robinson
(Joseph M. Robinson)
Notary Public, Lonoke County, Arkansas
Commission #12388483
My commission expires July 25 2022



LEGAL NOTICE

LEGAL NOTICE as published in the October 21st, 2020 edition of the Leader: ORDINANCE NO. 29 OF 2020

ANY ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN TERRITORY REFERRED TO AS HERITAGE MEADOWS TO THE CITY OF CABOT, ARKANSAS AND MAKING THAT TERRITORY PART OF THE CITY OF CABOT, ARKANSAS; ASSIGNING THE ANNEXED PROPERTY TO A WARD; ZONING THE ANNEXED PROPERTY AND FOR OTHER PURPOSES.

WHEREAS A Petition was filed in July of 2020, with the County Clerk of Lonoke County, Arkansas, by the real estate owners, Kathy See of R&S Homebuilders LLC, of the hereinafter described territory, praying that said territory be annexed to, and made a part of the City of Cabot, Arkansas; and

WHEREAS THE County Court of Lonoke County, Arkansas, found that the Petition was signed by a one-hundred percent (100%) of the real estate owners in said territory, that said territory was contiguous and adjoining the present corporate limits of the City of Cabot, Arkansas;

that an accurate plat or map of said territory had been filed with and made a part of said Petition and that all things pertaining thereto had been done in the manner prescribed by law, and that said lands and territory could be annexed to, and made a part of the City of Cabot, Arkansas, subject to the acceptance of same by the City Council of said City at the proper time as provided by law; and

WHEREAS THE time fixed by law for appealing from the Order of Annexation made by the County Court

has expired and no appeal has been taken from said Order;

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SECTION 3: The above described annexed lands

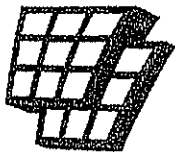
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SECTION 4: The above described annexed lands and territories are hereby zoned R-1.

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SPONSOR: KEN Kincaide, Mayor
PASSED: 7-0
DATE: 9/21/2020
APPROVED: KEN Kincaide, Mayor
APPROVED AS TO FORM: Ben Hooper, City Attorney
ATTEST: TAMMY Yocum, City Clerk, Treasurer

EXHIBIT



ARKANSAS GIS OFFICE

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

April 20, 2020

Atty. Chris Lacy
Law Office of Chris Lacy
PO Box 1549
Cabot, AR 72023

RE: City of Cabot Annexation Coordination Requirement

Mr. Lacy,

Thank you for coordinating with our office as you seek to annex property into the City of Cabot, AR located in Section 20, Township 4 North, Range 9 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\Cabot\20200420\Doc\20200420_Cabot_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





**ARKANSAS
GIS OFFICE**

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

April 20, 2020

Atty. Chris Lacy
Law Office of Chris Lacy
PO Box 1549
Cabot, AR 72023

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Jennifer Wheeler, GIS Analyst

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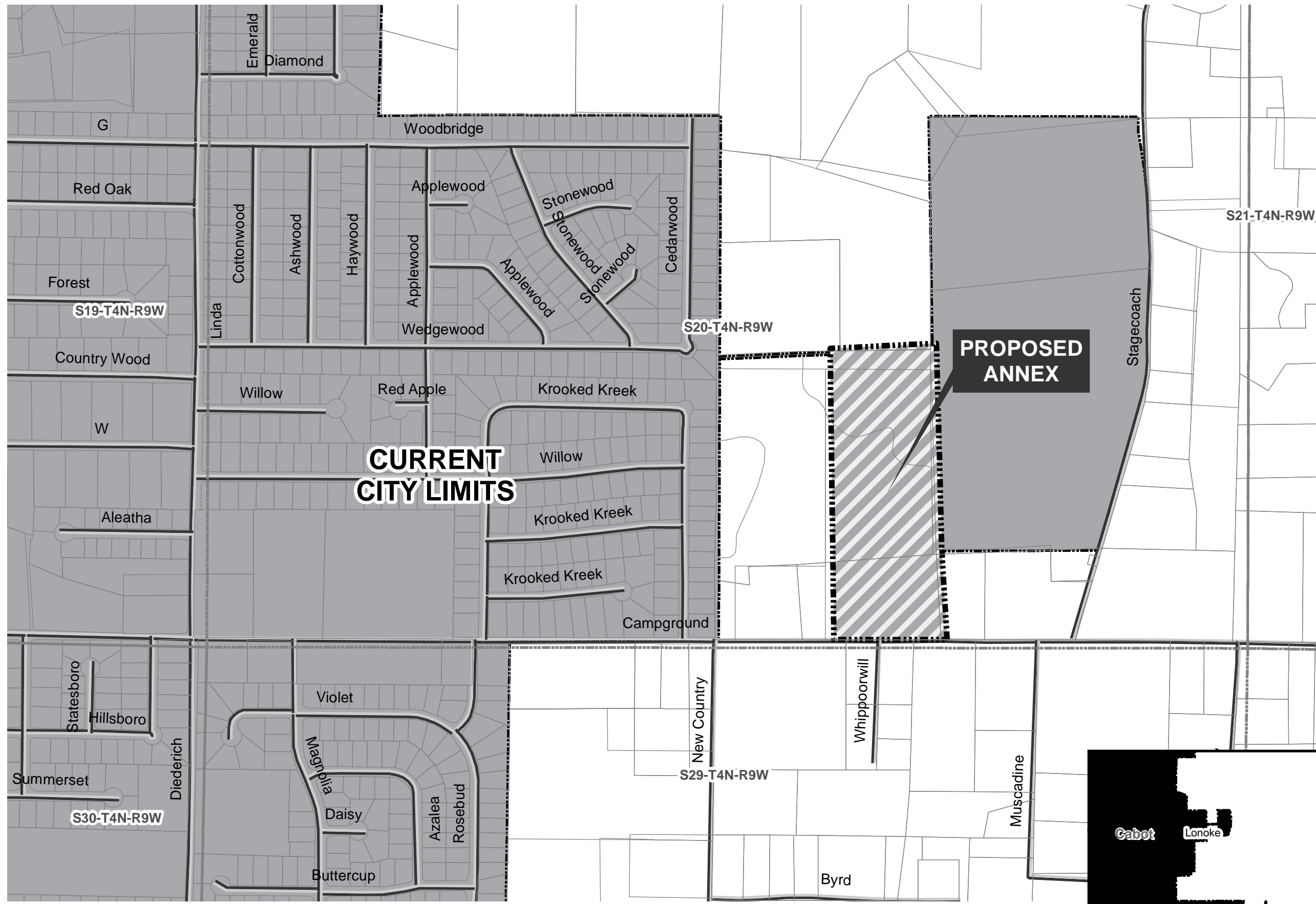
**Proposed Annex: City of Cabot
April 2020**

City: Cabot
Mayor: Ken Kincade

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
- Sections
- Parcels
- Minor Road
- Existing City

