



JOHN THURSTON  
ARKANSAS SECRETARY OF STATE

September 14, 2020

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

Re: City of Conway Annexation Ordinance O-20-26

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: 5/26/2020

County: Faulkner

City Ordinance: O-20-26

County Court Order: CC-20-02

City: Conway

Dated: 5/26/2020

Date Filed: 4/24/2020

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,

  
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)  
The Hon. Michael Garrett, Conway City Clerk (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: O-20-26 Date approved: 05/26/2020

County Court Case No: CC-20-02 Date Order Filed: 04/23/2020 4/24/20 sm started

Type: Annexation by Petition of all Landowners A.C.A. 14-40-609

Date Change Effective: 05/26/2020 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: Michael Garrett Title: City Clerk

Street Address: 1111 Main Street

City: Conway St: AR Zip code: 72032

*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: 8/11/2020

*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: \_\_\_\_\_

**FILED**

SEP 09 2020

Arkansas Secretary of State Rev. 2/2019



**L202009447**  
**CERTIFICATE OF RECORD**  
**FAULKNER CO, AR FEE \$20.00**  
 RECORDED: 06-15-2020 02:04:03 PM  
 CRYSTAL TAYLOR  
 CIRCUIT CLERK  
 BY: DIANA VARNER, D.C.  
**ORDINANCE**  
**2 Pages**

City of Conway, Arkansas  
 Ordinance No. O-20-26

**A ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN LANDS COMPRISED OF +/-7.5 ACRES LOCATED WEST OF MILL POND 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 **May 26, 2020** and said territory being situated in Faulkner County, Arkansas, shall be a part of the City of Conway and shall be zoned R-1. Legal description as follows:

Being a part of the N1/2 SE1/4 of Section 3, T-4-N, R-14-W, Faulkner County, Arkansas; more particularly described as beginning at the SE corner of the NW1/4 SE1/4 of Section 3; thence along the South line of said NW1/4 SE1/4, N89°57'07"W 685.99 feet; thence leaving said South line, N42°12'58"E 674.29 feet; thence N88°10'40"E 223.15 feet; thence S72°23'12"E 157.21 feet; thence S56°16'24"E 180.33 feet; thence S89°57'07"E 158.94 feet; thence S01°44'36"W 165.66 feet; thence N88°15'02"W 438.13 feet to the East line of said NW1/4 SE1/4; thence along said East line, S01°40'00"W 207.50 feet to the point of beginning, containing 7.50 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:** 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 4** of the City of Conway, Arkansas.

**Section 3:** 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 public ally 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.

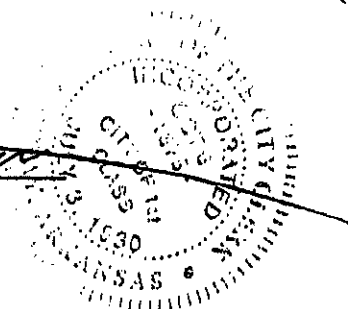
PASSED this 26<sup>th</sup> day of May, 2020.

Approved:

  
 Mayor Bart Castleberry

Attest:

  
 Michael O. Garrett  
 City Clerk/Treasurer



FILL  
TIME: \_\_\_\_\_

APR 24 2020

MARGARET DARTER  
FAULKNER COUNTY

FILED

IN THE COUNTY COURT OF FAULKNER COUNTY, ARKANSAS

APR 24 2020

Shaw Properties, LLC, Petitioner

MARGARET DARTER  
FAULKNER COUNTY CLERK  
BY Amelle DC

CC-20-02

**ORDER**

Comes now before the Court 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 April 14, 2020.
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 and B 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 4-23-2020

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

July 13, 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-20-02  
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 GIS Office

Clerk's Certificate

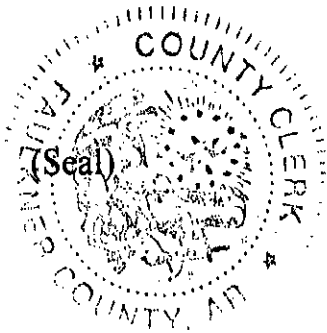
STATE OF ARKANSAS  
COUNTY OF FAULKNER

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-20-02.

Witness my hand and seal as such Clerk on this 13th day of July, 2020.

MARGARET DARTER  
FAULKNER COUNTY CLERK

By Alyson Miller D.C.



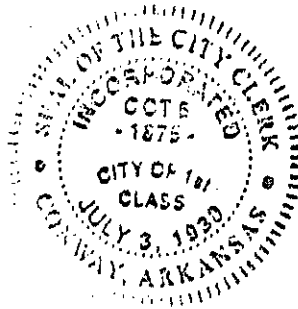
**CERTIFICATE**

**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 26<sup>th</sup> day of May, 2020 same is duly recorded in the minutes of meeting of said Council.

Witness, my hand, and seal of the City of Conway, Arkansas this 2<sup>nd</sup> day of June, 2020.

  
**CITY CLERK-TREASURER**





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

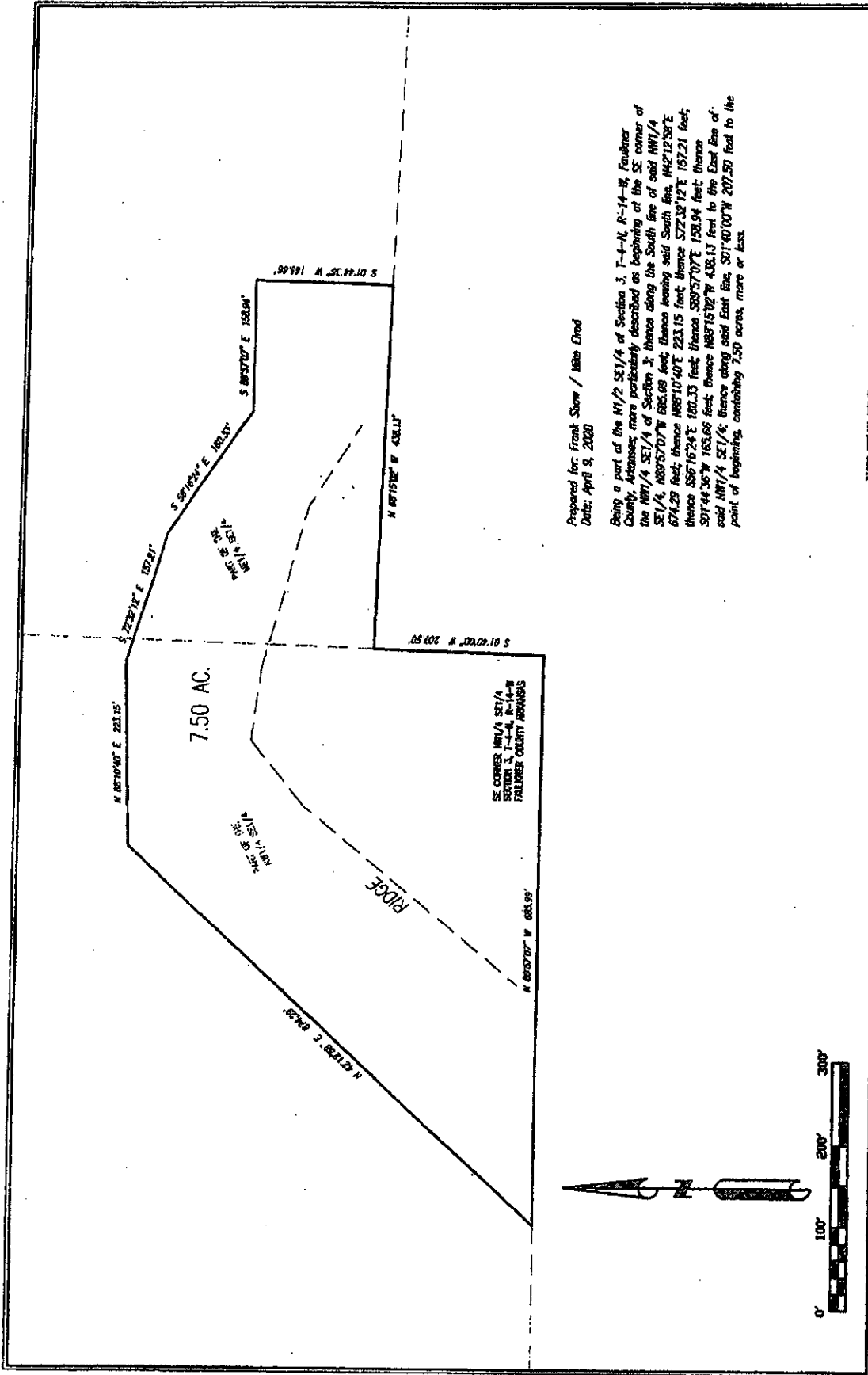
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Prepared for: Frank Shaw / Mike Elrod  
Date: April 9, 2020

Being a part of the N1/2 SE1/4 of Section 3, T-4-N, R-14-W, Faulkner County, Arkansas; more particularly described as beginning at the SE corner of the NW1/4 SE1/4 of Section 3; thence along the South line of said NW1/4 SE1/4, N89°57'07"W 685.99 feet; thence leaving said South line, N42°12'58"E 674.29 feet; thence N88°10'40"E 223.15 feet; thence S72°32'12"E 157.21 feet; thence S56°16'24"E 180.33 feet; thence S89°57'07"E 158.94 feet; thence S01°44'36"W 165.66 feet; thence N88°15'02"W 438.13 feet to the East line of said NW1/4 SE1/4; thence along said East line, S01°40'00"W 207.50 feet to the point of beginning, containing 7.50 acres, more or less.

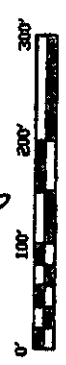
Attachment "A"





Prepared for: Frank Show / Mike Ernd  
 Date: April 9, 2020

Being a part of the NW/2 SE1/4 of Section 3, T-4-N, R-14-W, Faulkner County, Arkansas; more particularly described as beginning at the SE corner of the NW/4 SE1/4 of Section 3; thence along the South line of said NW/4 SE1/4, N89°57'07\"/>



21x30 405109-228 (Rev. 06/04/2019) JOB NO: 1200238

Attachment "B"

3)  
FCT

FILED

APR 23 2020

Faulkner County Title Company  
711 Locust Street  
Conway, AR 72034

MARGARET DARTER  
FAULKNER COUNTY CLERK



BY R. Darter DC

CC-20-02

**WARRANTY DEED**  
(Limited Liability Company)



L201908443

CERTIFICATE OF RECORD  
FAULKNER CO, AR FEE \$25.00  
RECORDED: 08-27-2019 11:09:39 AM  
CRYSTAL TAYLOR  
CIRCUIT CLERK  
BY: NICOLE SPILLER, D.C.

DEED  
3 Pages

File # 103-190935-ABW

**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 Managing 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 Frank Shaw Properties, L.L.C., hereinafter referred to as Grantee, the receipt of which is hereby acknowledged, does grant, bargain, sell and convey unto the said Frank Shaw Properties, L.L.C. and unto its successors and assigns forever the following lands lying in the County of Faulkner, and State of Arkansas, to-wit:

A Part of the NW 1/4 SE 1/4; NE 1/4 SE 1/4 and SE 1/4 NE 1/4, all in Section 3, Township 4 North, Range 14 West, Faulkner County, Arkansas, being more particularly described as follows: Beginning at a found 2" x 4" stone for the Southeast Corner of said NW 1/4 SE 1/4; thence along the South line of said NW 1/4 SE 1/4, North 89 degrees 57 minutes 07 seconds West a distance of 1191.08 feet to a set 1/2" rebar w/cap (1363); thence leaving said South line North 39 degrees 35 minutes 21 seconds East a distance of 374.34 feet to a set 1/2" rebar w/cap (1363); thence North 15 degrees 29 minutes 12 seconds East a distance of 434.13 feet to a set 1/2" rebar w/cap (1363); thence North 71 degrees 03 minutes 28 seconds East a distance of 650.80 feet to a set 1/2" rebar w/cap (1363); thence North 73 degrees 25 minutes 21 seconds East a distance of 307.51 feet to a set 1/2" rebar w/cap (1363); thence North 33 degrees 16 minutes 41 seconds East a distance of 386.95 feet to a set 1/2" rebar w/cap (1363); thence North 39 degrees 42 minutes 04 seconds East a distance of 151.55 feet to a set 1/2" rebar w/cap (1363); thence North 33 degrees 31 minutes 39 seconds East a distance of 274.07 feet to a set 1/2" rebar w/cap (1363); thence North 21 degrees 14 minutes 10 seconds East a distance of 254.27 feet to a set 1/2" rebar w/cap (1363); thence North 07 degrees 37 minutes 32 seconds East a distance of 283.71 feet to a set 1/2" rebar w/cap (1363) being on the South right-of-way of Empy Trail; thence along said right-of-way the following calls: South 29 degrees 51 minutes 20 seconds East a distance of 179.65 feet; thence South 08 degrees 13 minutes 45 seconds West a distance of 147.60 feet; thence South 14 degrees 56 minutes 22 seconds East a distance of 143.92 feet; thence South 49 degrees 49 minutes 01 seconds East a distance of 153.34 feet; thence with a curve turning to the left with an arc length of 386.91 feet, with a radius of 622.96 feet, with a chord bearing of South 64 degrees 33 minutes 40 seconds East, with a chord length of 585.44 feet to a found RDF Cap; thence leaving said right-of-way South 01 degree 20 minutes 34 seconds West a distance of 463.39 feet to a found 3/4" pipe; thence North 88 degrees 17 minutes 14 seconds West a distance of 419.79 feet to a found 3/4" crimped pipe; thence South 01 degrees 47 minutes 54 seconds West a distance of 639.55 feet to a found 3/4" crimped pipe; thence North 88 degrees 15 minutes 02 seconds West a distance of 798.81 feet to a found 3/4" crimped pipe being on the East line of said NW 1/4 SE 1/4; thence along said East line South 01 degree 40 minutes 00 seconds West a distance of 207.50 feet to the Point of Beginning.

To have and to hold the same unto the said Grantee and unto its successors and assigns forever, with all appurtenances thereunto belonging.

And Grantor hereby covenants with the said Grantee 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

IN TESTIMONY WHEREOF, The name of the Grantor is affixed by its Managing Member, this 25th day of June, 2019.

Phideux, LLC

BY: Richard A. Collins  
Richard A. Collins  
Managing Member

**ACKNOWLEDGMENT**

STATE OF ARKANSAS  
COUNTY OF FAULKNER

On this day, before me, a Notary Public, duly commissioned, qualified and acting, within and for the said County and State, appeared in person the within named **Richard A. Collins** who to me personally well known, who stated he was the **Managing Member** of **Phideux, LLC**, a limited liability company, and is duly authorized in his capacity to execute the foregoing instrument for and in the name and behalf of said limited liability company and further stated that he so signed, executed and delivered said foregoing instrument for the consideration, uses and purposes herein mentioned and set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 25th day of June, 2019.



Annie Beth Wheeler  
Annie Beth Wheeler, Notary Public

My commission expires: **August 31, 2022**



STATE OF ARKANSAS  
DEPARTMENT OF FINANCE AND ADMINISTRATION  
MISCELLANEOUS TAX SECTION  
P.O. BOX 896, LITTLE ROCK, AR 72203-0896

Real Estate Transfer Tax Stamp

Proof of Tax Paid



File Number: 103-190935-ABW

Grantee:  
Mailing Address: FRANK SHAW PROPERTIES, LLC  
1315 MAIN STREET  
CONWAY AR 72034F000

Grantor:  
Mailing Address: PHIDEUX, LLC  
2421 COLLEGE AVENUE APT 313  
CONWAY AR 720340000

Property Purchase Price: \$443,520.00  
Tax Amount: \$1,465.20

County: FAULKNER  
Date Issued: 06/26/2019  
Stamp ID: 1182994432

I certify under penalty of false swearing that documentary stamps or a documentary symbol in the legally correct amount has been placed on this instrument

Grantee or Agent Name (printed): Frank Shaw Properties, LLC

Grantee or Agent Name (signature): Annie F... FIT agent Date: 6-26-19

Address: 1315 Main Street

City/State/Zip: Conway, AR 72034

FILED CC-20-02



L202002604

CERTIFICATE OF RECORD  
FAULKNER CO, AR FEE \$25.00  
RECORDED: 02-19-2020 03:34:36 PM  
CRYSTAL TAYLOR  
CIRCUIT CLERK  
BY: NICOLE SPILLER, D.C.

Faulkner County Title Company  
711 Locust Street  
Conway, AR 72034

APR 20 2020

MARGARET DAFTER  
FAULKNER COUNTY CLERK



BY R. Walls DC

DEED  
3 Pages

**WARRANTY DEED  
MARRIED PERSONS**

KNOW ALL MEN BY THESE PRESENTS:

THAT, Arch Bradley and Cindy Bradley, 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 Frank Shaw Properties, L.L.C., the receipt of which is hereby acknowledged, do hereby grant, bargain sell and convey unto the said, Frank Shaw Properties, L.L.C., hereinafter called Grantee, and unto its successors and assigns forever, the following lands lying in the County of Faulkner and State of Arkansas, to wit:

Lot 9, Replat of Round Mountain Subdivision as shown on plat of record in Plat Book E, Page 72, records of Faulkner County, Arkansas.

To have and to hold the same unto the said Grantee and unto its successors and assigns forever, with all appurtenances thereunto belonging.

And we hereby covenant with said Grantee 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, Arch Bradley and Cindy Bradley, husband and wife, for the consideration recited herein, do hereby release and relinquish unto the said Grantee 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, Ste 1200  
Little Rock, AR 72205

WITNESS our hands and seal on this 18th day of February, 2020.

Arch Bradley  
Arch Bradley

Cindy Bradley  
Cindy Bradley

**ACKNOWLEDGMENT**

STATE OF ARKANSAS  
COUNTY OF FAULKNER

BE IT REMEMBERED, That on this day came before the undersigned, a Notary Public within and for the County aforesaid, duly commissioned and acting, Arch Bradley and Cindy Bradley, husband and wife, to me well known as the Grantors in the foregoing Deed and stated that they had executed the same for the consideration, uses and purposes therein mentioned and set forth.

WITNESS my hand and seal as such notary public this 18th day of February, 2020.

Darleen Pratt  
Darleen Pratt, Notary Public

My commission expires: November 1, 2029.





STATE OF ARKANSAS  
DEPARTMENT OF FINANCE AND ADMINISTRATION  
MISCELLANEOUS TAX SECTION  
P.O. BOX 896, LITTLE ROCK, AR 72203-0896

Real Estate Transfer Tax Stamp

Proof of Tax Paid



File Number: 103-2000073-DP

Grantee: FRANK SHAW PROPERTIES LLC  
Mailing Address: 1315 MAIN STREET  
CONWAY AR 720340000

Grantor: ARCH BRADLEY  
Mailing Address: 290 MILL POND RD  
CONWAY AR 720340000

Property Purchase Price: \$85,000.00  
Tax Amount: \$280.50

County: FAULKNER  
Date Issued: 02/19/2020  
Stamp ID: 725321728

I certify under penalty of false swearing that documentary stamps or a documentary symbol in the legally correct amount has been placed on this instrument.

Grantee or Agent Name (printed): Frank Shaw Properties LLC

Grantee or Agent Name (signature): [Signature] Date: 2/19/2020

Address: 1315 Main Street

City/State/Zip: Conway, AR 72034

CC-20-02

FILED

IN THE COUNTY COURT OF FAULKNER COUNTY, ARKANSAS

APR 14 2020

PETITION OF ANNEXATION

MARGARET DAFTER  
FAULKNER COUNTY CLERK

BY  DC

Shaw Properties, LLC, Frank E. Shaw, 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

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, Shaw Properties, LLC

by Frank E. Shaw 

Address: 1315 Main Street

Conway, AR 72034



State of Arkansas, County of Faulkner

Subscribed and sworn to before me on this 1<sup>st</sup> day of April, 2020  
by the petitioners listed above.

Signature of Notary Public 

My Commission Expires: Sept. 5, 2022

ERIC WILSON  
Arkansas - Pulaski County  
Notary Public - Comm# 12389644  
My Commission Expires Sep. 5, 2022



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

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Prepared for: Frank Shaw / Mike Elrod  
Date: April 9, 2020

Being a part of the N1/2 SE1/4 of Section 3, T-4-N, R-14-W, Faulkner County, Arkansas; more particularly described as beginning at the SE corner of the NW1/4 SE1/4 of Section 3; thence along the South line of said NW1/4 SE1/4, N89°57'07"W 685.99 feet; thence leaving said South line, N42°12'58"E 674.29 feet; thence N88°10'40"E 223.15 feet; thence S72°32'12"E 157.21 feet; thence S56°16'24"E 180.33 feet; thence S89°57'07"E 158.94 feet; thence S01°44'36"W 165.66 feet; thence N88°15'02"W 438.13 feet to the East line of said NW1/4 SE1/4; thence along said East line, S01°40'00"W 207.50 feet to the point of beginning, containing 7.50 acres, more or less.

Attachment "A"





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

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Prepared for: Frank Shaw / Mike Elrod  
Date: April 9, 2020

Being a part of the N1/2 SE1/4 of Section 3, T-4-N, R-14-W, Faulkner County, Arkansas; more particularly described as beginning at the SE corner of the NW1/4 SE1/4 of Section 3; thence along the South line of said NW1/4 SE1/4, N89°57'07"W 685.99 feet; thence leaving said South line, N42°12'58"E 674.29 feet; thence N88°10'40"E 223.15 feet; thence S72°32'12"E 157.21 feet; thence S56°16'24"E 180.33 feet; thence S89°57'07"E 158.94 feet; thence S01°44'36"W 165.66 feet; thence N88°15'02"W 438.13 feet to the East line of said NW1/4 SE1/4; thence along said East line, S01°40'00"W 207.50 feet to the point of beginning, containing 7.50 acres, more or less.

Attachment "A"



711 Locust Street  
Conway, AR 72034  
Tel 501-327-6723  
Fax 501-327-6725

March 13, 2020

Frank Shaw Properties, L.L.C.  
1315 Main Street  
Conway, AR 72034

RE: File No.: 103-200073-DP  
Buyer(s): Central Arkansas Qualified Intermediary, Inc. FBO Frank Shaw Properties, L.L.C.  
Property Address: Lot 9 Round Mountain Subdivision, Conway, AR 72034

Dear Jim Pender:

Enclosed please find your **Owner's Policy of Title Insurance** insuring the title to your property and your **Original recorded Warranty Deed**. We would urge that you keep this policy with your other valuable papers.

There is no annual renewal fee for title insurance. This policy is not transferable. Should you decide to sell your property, a policy should be issued to the new purchaser.

Should you sell this property, and we have the opportunity of closing that transaction with you, we can give you a "reissue rate" which will save you considerable dollars. We appreciate your business and invite you to consult us on all of your title insurance requirements whenever you are mortgaging, buying or selling real estate.

Sincerely yours,

Jim Pender  
President

Enclosures



Policy No.: 6384-5-103-200073-DP-2020.7230604-219196964

## OWNER'S POLICY OF TITLE INSURANCE

Issued by

### CHICAGO TITLE INSURANCE COMPANY

Any notice of claim and any other notice or statement in writing required to be given to the Company under this Policy must be given to the Company at the address shown in Section 18 of the Conditions.

#### COVERED RISKS

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B, AND THE CONDITIONS, CHICAGO TITLE INSURANCE COMPANY, a Florida Corporation, (the "Company") insures as of Date of Policy and, to the extent stated in Covered Risks 9 and 10, after Date of Policy, against loss or damage, not exceeding the Amount of Insurance, sustained or incurred by the Insured by reason of:

1. Title being vested other than as stated in Schedule A.
2. Any defect in or lien or encumbrance on the Title. This Covered Risk includes but is not limited to insurance against loss from
  - (a) A defect in the Title caused by
    - (i) forgery, fraud, undue influence, duress, incompetency, incapacity, or impersonation;
    - (ii) failure of any person or Entity to have authorized a transfer or conveyance;
    - (iii) a document affecting Title not properly created, executed, witnessed, sealed, acknowledged, notarized, or delivered;
    - (iv) failure to perform those acts necessary to create a document by electronic means authorized by law;
    - (v) a document executed under a falsified, expired, or otherwise invalid power of attorney;
    - (vi) a document not properly filed, recorded, or indexed in the Public Records including failure to perform those acts by electronic means authorized by law; or
    - (vii) a defective judicial or administrative proceeding.
  - (b) The lien of real estate taxes or assessments imposed on the Title by a governmental authority due or payable, but unpaid.
  - (c) Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
3. Unmarketable Title.
4. No right of access to and from the Land.
5. The violation or enforcement of any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
  - (a) the occupancy, use, or enjoyment of the Land;
  - (b) the character, dimensions, or location of any improvement erected on the Land;
  - (c) the subdivision of land; or
  - (d) environmental protection
 if a notice, describing any part of the Land, is recorded in the Public Records setting forth the violation or intention to enforce, but only to the extent of the violation or enforcement referred to in that notice.
6. An enforcement action based on the exercise of a governmental police power not covered by Covered Risk 5 if a notice of the enforcement action, describing any part of the Land, is recorded in the Public Records, but only to the extent of the enforcement referred to in that notice.
7. The exercise of the rights of eminent domain if a notice of the exercise, describing any part of the Land, is recorded in the Public Records.
8. Any taking by a governmental body that has occurred and is binding on the rights of a purchaser for value without Knowledge.
9. Title being vested other than as stated Schedule A or being defective
  - (a) as a result of the avoidance in whole or in part, or from a court order providing an alternative remedy, of a transfer of all or any part of the title to or any interest in the Land occurring prior to the transaction vesting Title as shown in Schedule A because that prior transfer constituted a fraudulent or preferential transfer under federal bankruptcy, state insolvency, or similar creditors' rights laws; or
  - (b) because the instrument of transfer vesting Title as shown in Schedule A constitutes a preferential transfer under federal bankruptcy, state insolvency, or similar creditors' rights laws by reason of the failure of its recording in the Public Records
    - (i) to be timely, or
    - (ii) to impart notice of its existence to a purchaser for value or to a judgment or lien creditor.
10. Any defect in or lien or encumbrance on the Title or other matter included in Covered Risks 1 through 9 that has been created or attached or has been filed or



recorded in the Public Records subsequent to Date of Policy and prior to the recording of the deed or other Instrument of transfer in the Public Records that vests Title as shown in Schedule A.

The Company will also pay the costs, attorneys' fees, and expenses incurred in defense of any matter insured against by this Policy, but only to the extent provided in the Conditions.

IN WITNESS WHEREOF, CHICAGO TITLE INSURANCE COMPANY has caused this policy to be signed and sealed by its duly authorized officers.

Countersigned:

CHICAGO TITLE INSURANCE COMPANY

By: Kelly E McFall  
Authorized Officer or Agent  
Kelly E McFall License No. 18996095  
Faulkner County Title Company  
711 Locust St  
Conway, AR 72034-5328  
Tel: 501-327-6723  
Fax: 501-327-6725



By: [Signature]  
President

Attest: [Signature]  
Secretary

**EXCLUSIONS FROM COVERAGE**

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
  - (i) the occupancy, use, or enjoyment of the Land;
  - (ii) the character, dimensions or location of any improvement erected on the Land;
  - (iii) the subdivision of land; or
  - (iv) environmental protection;
 or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters:
  - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
  - (b) not known to the Company, not recorded in the Public Records at Date of Policy, but known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
  - (c) resulting in no loss or damage to the Insured Claimant;
  - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 9 and 10); or
  - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction vesting the Title as shown in Schedule A, is
  - (a) a fraudulent conveyance or fraudulent transfer; or
  - (b) a preferential transfer for any reason not stated in Covered Risk 9 of this policy.
5. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

**CONDITIONS**

**I. DEFINITION OF TERMS**

'230604 ALTA Owners Policy 06/17/06 w-AR Mod\_306  
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**ARKANSAS  
GIS OFFICE**

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

April 14, 2020

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 Section 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 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\20200414\Doc\20200414\_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





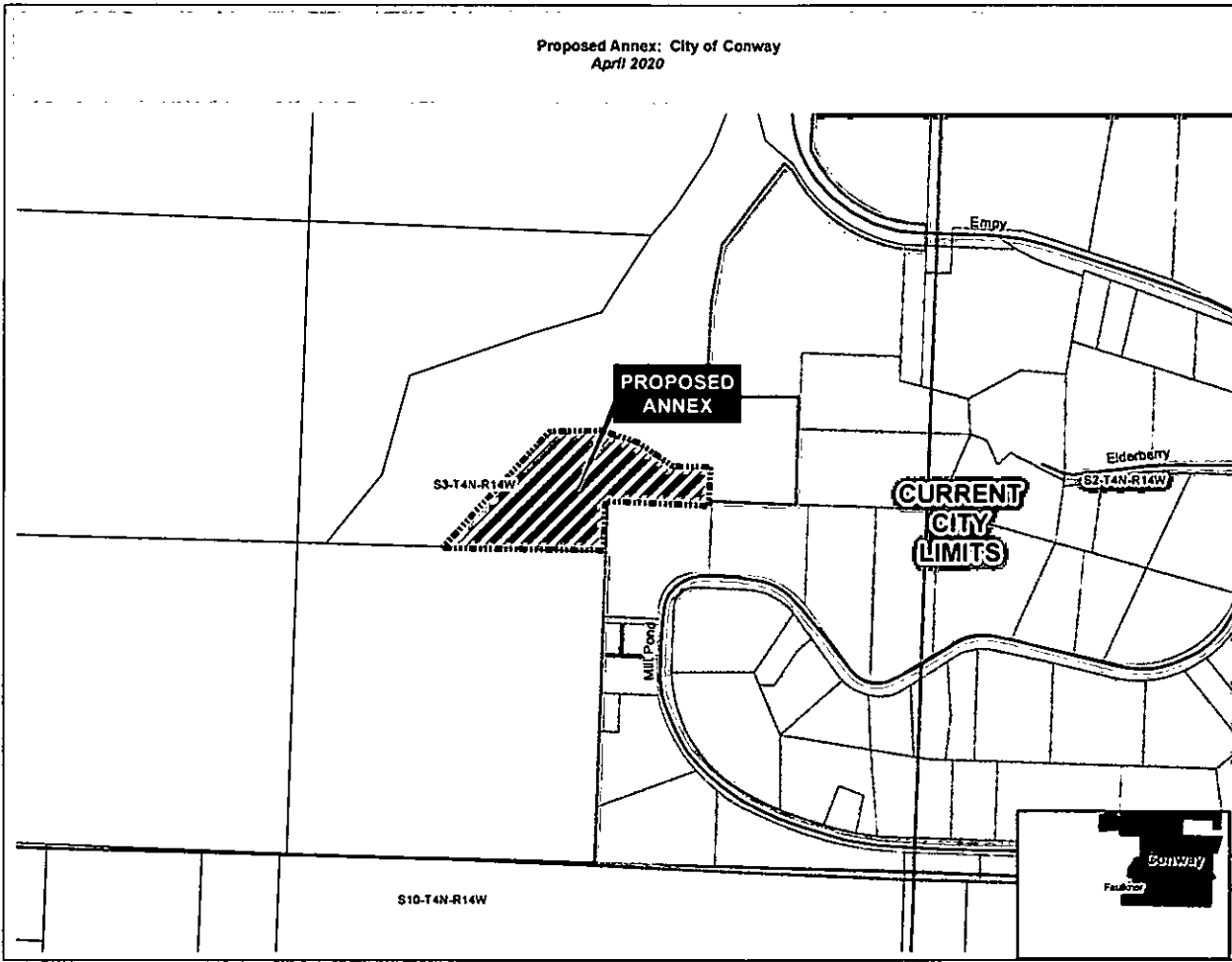
Proposed Annex: City of Conway  
April 2020

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



- Proposed Annex
- Section
- Parcel
- Meter Road
- Existing City

0 0.0225 0.045 0.09  
Miles



ARKANSAS  
GIS OFFICE