



# JOHN THURSTON

ARKANSAS SECRETARY OF STATE

August 25, 2020

The Hon. Betsy Harrell  
Benton County Clerk  
215 East Central, Suite 217  
Bentonville, AR 72712-5373

Re: City of Springdale Annexation Ordinance 5417

Dear Ms. Harrell,

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 §14-40-2002 (detachment from another municipality)

Effective Date: 9/19/2019

County: Benton

City Ordinance: 5417

County Court Order: N/A

City: Bentonville

Dated: 9/10/2019

Date Filed: N/A

A file marked copy of the ordinance and exhibits submitted to our Office are enclosed. By copy of this letter (and its enclosures), the Secretary of State hereby notifies the appropriate mapping authorities for Arkansas. Please retain these copies as official record of the filing of the municipal change by the Arkansas Secretary of State.

If you have any questions or concerns regarding this filing, please do not hesitate to contact our Office at 501-683-3717.

Sincerely,

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

Shantell McGraw  
Elections Division

cc: Arkansas Geographic Information Systems Office (w/encl)  
Arkansas Department of Transportation Mapping Department (w/encl)  
Department of Finance and Administration (w/encl)  
Arkansas Public Service Commission (w/encl)  
Arkansas Economic Development Institute (w/encl)  
The Hon. Doug Sprouse, Mayor of Springdale (w/encl)  
The Hon. Denise Pearce, Springdale City Clerk/Treasurer (w/encl)  
The Hon. Cynthia Black, Mayor of Bethel Heights (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: Benton City/Town: Springdale

City Ordinance/Resolution No: 5417 Date approved: 09/10/2019

County Court Case No: \_\_\_\_\_ Date Order Filed: \_\_\_\_\_

Type: Annexation by Detachment from another municipality at landowner request A.C.A. 14-40-800

Date Change Effective: 9/19/2019 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 1  
*(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: Denise Pearce Title: City Clerk/Treasurer

Street Address: 201 Spring St

City: Springdale St: AR Zip code: 72764

*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: *Tiffany Underwood* Title: Deputy County Clerk

Date: 09/18/2019

*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: *SEM*

**F I L E D**

**AUG 25 2020**

Rev. 2/2019

**Arkansas Secretary of State**

**ORDINANCE NO. 5417**

**AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY TO THE CITY OF SPRINGDALE, ARKANSAS, PURSUANT TO ARK. CODE ANN. §14-40-2002, AND MAKING A COMMITMENT TO MAKE MUNICIPAL SERVICES AVAILABLE TO SAID PROPERTY AS REQUIRED BY ARK. CODE ANN. §14-40-2002.**

FILED 201950194 9/23/2019 9:50:54 AM  
Recorded - Benton County, AR  
Brenda DeShields, Circuit Clerk  
2020 MAY 21 PM 4:06  
BEISTY HARMILL  
CO & PROBATE CLERK  
BENTON COUNTY, AR

**WHEREAS, P & C Steele Properties, LLC, ("Steele") is the owner of the following real property currently located in Bethel Heights, Benton County, Arkansas, and which is contiguous to and adjacent to the City of Springdale, Arkansas ("the Property") (legal descriptions and map attached hereto):**

**Benton County Parcel No. 20-00037-000 and Benton County Parcel No. 20-00045-000, containing 73.80 acres, more or less.**

**WHEREAS, Steele wishes to avail itself of the detachment and annexation procedure contained in Ark. Code Ann. §14-40-2001, *et seq.* as Steele is seeking additional municipal services, namely sewer and water services, to the Property;**

**WHEREAS, pursuant to Ark. Code Ann. §14-40-2002, Steele made demand upon the City of Bethel Heights to make a commitment to provide the requested municipal services to the Property; namely, municipal sewer service sufficient to provide not less than a twelve (12) inch service main to serve a mixed use commercial, residential, and office development of the Property, and municipal water service;**

**WHEREAS, the City of Bethel Heights has expressed in writing that it can or will make such a commitment as required by Ark. Code Ann. §14-40-2002;**

**WHEREAS, the present condition and status of the Bethel Heights "step system" is such that its sanitary sewer system is unable to serve present capacity and cannot be expected to provide the additional capacity necessary to provide sanitary sewer service adequate for the intended and planned use on the Property within the time provided by Ark. Code Ann. §14-40-2002, thereby rendering Bethel Heights' written commitment to provide sewer services untenable;**

**WHEREAS, the City of Bethel Heights has otherwise not complied with the requirements of Ark. Code Ann. §14-40-2002;**

**WHEREAS, the City of Springdale, as annexing municipality pursuant to Ark. Code Ann. §14-40-2002, by the adoption of this Ordinance, does hereby commit to take substantial steps within the time required by Ark. Code Ann. §14-40-2002 after the adoption of this Ordinance toward making the**

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requested services available to the Property, and within each 30 day period thereafter, to continue to take steps demonstrating a consistent commitment to make the requested sanitary sewer services available to the Property within a reasonable time; and,

2020 MAY 21 PM 11:06  
DEIST HARRELL  
CO & PROBATE CLERK  
BENTON COUNTY, AR

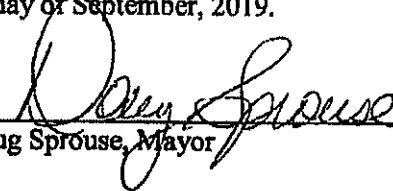
WHEREAS, upon the City of Springdale making the commitment to make the requested municipal services available to the Property, Steele now seeks approval of the request for detachment from Bethel Heights and annexation into the City of Springdale, Arkansas, pursuant to Ark. Code Ann. §14-40-2002.

SECTION 1: The City of Springdale, Arkansas hereby makes a commitment to make the requested municipal services available to the Property, and to take substantial steps within the time required by Ark. Code Ann. §14-40-2002 after the passage of this ordinance to make the requested municipal services available and, within each thirty-day period thereafter, continue taking steps demonstrating a consistent commitment to make the additional services available within a reasonable time, as determined by the kind of services requested.


SECTION 2: Given the commitment made by the City of Springdale, Arkansas, to make the requested municipal services available, the Property is therefore accepted for annexation into the City of Springdale, Arkansas, pursuant to Ark. Code Ann. §14-40-2002, and the Property shall hereafter be a part of the City of Springdale, effective upon the date indicated below.

SECTION 3: The Property is hereby assigned to Ward 1 of the City of Springdale, Arkansas.

PASSED AND APPROVED this 10<sup>TH</sup> day of September, 2019.

  
\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:  
  
  
\_\_\_\_\_  
Denise Pedree, City Clerk

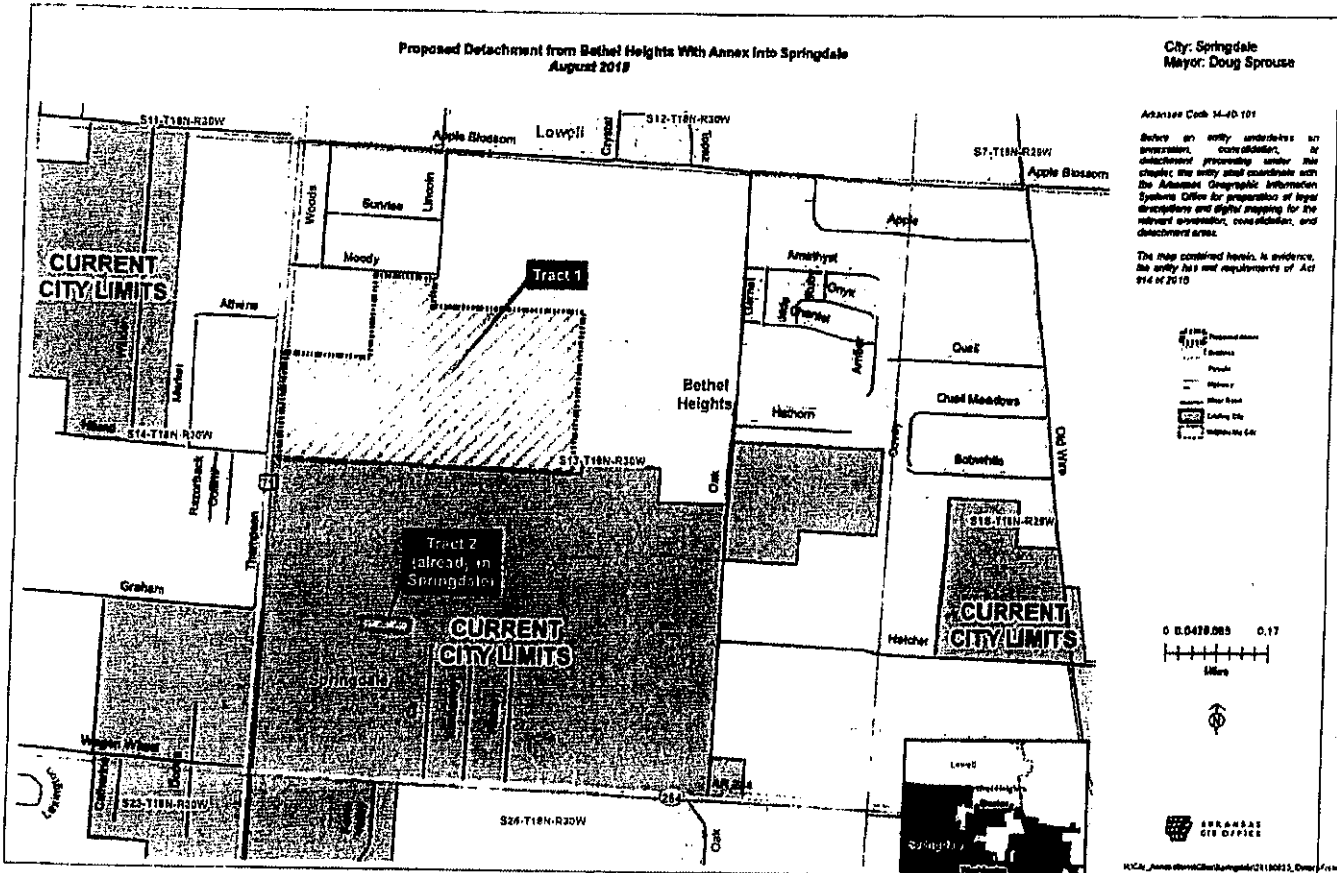
APPROVED AS TO FORM:  
  
\_\_\_\_\_  
Ernest B. Cate, City Attorney

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JEFFRY HANRELL  
CO & PROBATE CLERK  
BENTON COUNTY, AR

d



**Legal Description**

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The East Half of the NW 1/4 of the SE 1/4, the West Half of the NE 1/4 of the SE 1/4, the West Half of the NW 1/4 of the SE 1/4, the South Half of the East Half of the NE 1/4 of the SE 1/4, the North Half of the East Half of the NE 1/4 of the SW 1/4, a tract of land 20 feet of equal and uniform width off the East of the South Half of the East Half of the NE 1/4 of the SW 1/4, and the East Half of the SW 1/4 of the SE 1/4, all lying in Section 14, Township 18 North, Range 30 West, Benton County, Arkansas.

Less and except that portion of subject property deeded to the Arkansas State Highway Commission in Warranty Deed filed February 13, 1974, in Deed Record 471 at Page 317, records of Benton County, Arkansas.

Less and except a strip of land 20' of equal and uniform width taken from the northern boundary of the above described property. Said boundary also being the north line of the SW/4 of Section 14, Township 18 North, Range 30 West, and the north line of the SE/4 of Section 14, Township 18 North, Range 30 West.

Also, less and except a strip of land 20' of equal and uniform width taken from the western most boundary of the above described property. Said boundary also being the west line of the N/2 of the E/2 of the NE/4 of the SW/4 of Section 14, Township 18 North, Range 30 West."

User Name: LAURA  
CERTIFICATE OF RECORD  
STATE OF ARKANSAS, COUNTY OF BENTON  
I hereby certify that this instrument was  
Filed and Recorded in the Official Records  
L201950194 9/23/2019 9:50:54 AM  
Brenda DeShields, Circuit Clerk  
BENTON CO, AR FEE \$30.00



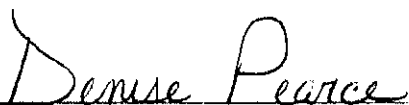
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2020 MAY 21 PM 4:06

DEISE HARRELL  
CO & PROBATE CLERK  
BENTON COUNTY, AR

## CERTIFICATE

I, Denise Pearce, City Clerk of the City of Springdale, County of Washington, State of Arkansas, hereby certify that the attached and foregoing is a true copy of Ordinance No. 5417, passed on September 10<sup>th</sup>, 2019, the original which is now on file in the City Clerk's Office of the City of Springdale, Arkansas.

In witness whereof, I have hereunto set my hand and affixed the official Seal of the City of Springdale, Washington County, Arkansas, the 19<sup>th</sup> day of May, 2020.

  
\_\_\_\_\_  
City Clerk of the City of Springdale  
Washington County, Arkansas



**ARKANSAS  
GIS OFFICE**

A Division of the Department of Transformation and Shared Services

FILED

2020 MAY 29 PM 3:45

HELSY HARNELL  
CLERK  
BEHOLDEN COUNTY, AR

August 23, 2019

Atty. Bill Watkins  
Watkins, Boyer, Gray & Curry, PLLC  
1106 W. Poplar  
Rogers, AR 72756

RE: Detachment from Bethel Heights w/Annex into Springdale

Mr. Watkins,

Thank you for coordinating with our office as you seek to detach property from the City of Bethel Heights, AR and annex into the City of Springdale, AR located in Section 13, Township 18 North, Range 30 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  
/jw

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

H:\City\_Annexations\Cities\Springdale\20190823\_DetachFromBethelHeights\Doc\20190823\_DetachFromBethelHeights\_Springdale\_Annexation\_Coordination\_Letter.docx

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

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



City: Springdale  
 Mayor: Doug Sprouse

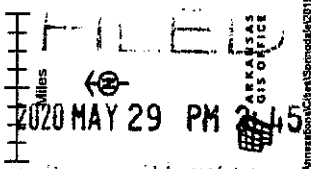
Arkansas Code 14-40-101.

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 of the entity has met requirements of Act 914 of 2015



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BETSY HARRELL  
 CO & PROBATE CLERK  
 BENTON COUNTY, AR

\\City\_Annexation\Chart\Springdale\20190523\_DetachFront

Proposed Detachment from Bethel Heights With Annex Into Springdale  
 August 2019

