



JOHN THURSTON

ARKANSAS SECRETARY OF STATE

August 25, 2020

The Hon. Becky Lewallen
Washington County Clerk
280 N. College Ave
Fayetteville, AR 72701

Re: City of Springdale Annexation Ordinance 5416

Dear Ms. Lewallen,

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: Detachment pursuant to A.C.A § 14-40-608 (detachment by petition)

Effective Date: 9/10/2019

County: Washington

City: Springdale

City Ordinance: 5416

Dated: 9/10/2019

County Court Order: CC 2016-2

Date Filed: 8/27/2019

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

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

Sincerely,

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

Shantell McGraw
Elections Division

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

FILED
2020 JUN 22 AM 11:48
CLERK OF PROBATE &
WASHINGTON CO. AR

County: Washington City/Town: Springdale

City Ordinance/Resolution No: 5416 Date approved: September 10, 2019

County Court Case No: CC2016-2 Date Order Filed: August 27, 2019

Type: Detachment of Land annexed by petition under A.C.A. 14-40-601, See A.C.A. 14-40-608

Date Change Effective: 9/10/19 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: None
(See A.C.A § 14-40-203)

Initiating party:
[] All Landowners [] Majority Landowners [X] Municipal Governing Body [] State [] Other

- Supporting Documentation attached (check all that apply):
[X] File marked copy of City Ordinance/Resolution (required)
[X] File marked copy of County Court Order or certified annexation election results (required except for A.C.A. §14-40-501)
[X] 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 Street
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: Jennie Shapshoe Title: Chief Deputy Clerk
Date: 6/22/2020

Pursuant to Act 655 of 2017, County Officials must submit a file-marked copy of municipal boundary change documents within 30 days of receipt to: Arkansas Secretary of State, Attn: Municipal Boundary Filing, 500 Woodlane Ave Suite 256, Little Rock, AR 72201-1094

FILED

Office of the Arkansas Secretary of State use only

Received by: [Signature]

AUG 25 2020

Arkansas Secretary of State

ORDINANCE NO. 5416

**AN ORDINANCE AMENDING
ORDINANCE NO. 5068 ANNEXING
CERTAIN PROPERTY INTO THE
CITY OF SPRINGDALE,
WASHINGTON COUNTY, ARKANSAS.**



Doc ID: 018801450002 Type: REL
Kind: ORDINANCE
Recorded: 09/17/2019 at 10:11:43 AM
Fee Amt: \$20.00 Page 1 of 2
Washington County, AR
Kyle Sylvester Circuit Clerk

File **2019-00028072**

WHEREAS, pursuant to Ark. Code Ann. §14-40-601, *et seq.*, the City of Springdale passed Ordinance No. 5068 on July 12, 2016, annexing certain property into the City of Springdale, said Ordinance being filed for record with the Circuit Clerk of Washington County, Arkansas, on July 20, 2016, as File 2016-00020601;

WHEREAS, since the passage of Ordinance No. 5068, it has since been discovered that the legal description contained in Ordinance No. 5068 contained an error resulting in a parcel of property being inadvertently annexed into the City of Springdale, said property is not contiguous to the City of Springdale, and said property is described as follows ("the Property"):

Tract 2 of a Tract Split filed for record with the Circuit Clerk of Washington County, Arkansas, on June 30, 2016, as File 2016-00018645, and more particularly described as a Part of the Southwest Quarter of the Northeast Quarter of Section 9, Township 17North, Range 29 West, Washington County, Arkansas, being more particularly described as follows:

Beginning at a found 1/2" rebar, said point being at the Northeast corner of said forty acre tract, thence S02°20'29"W 158.37' along the East line of said forty acre tract to a point on the Northern right of way of Highway 412, thence along said right of way the following 5 courses and distances: N70°41'44"W 247.78', thence N73°12'02"W 201.87', thence N89°24'22"W 247.35', thence N66°10'21"W 131.27', thence N65°48'58"W 45.25' to a found 1/2' rebar, thence N64°05'49"W 8.11' to the intersection of said right of way with the north line of said forty acre tract, thence run along said North line S86°31'54"E 202.15' to a found 5/8" rebar, thence continue along said North line running S85°48'35"E 649.52' to the point of beginning, and containing 1.46 acres more or less. Subject to easements and rights-of-way of record.

More commonly known as Washington County Tax Parcel No. 815-36197-400.

WHEREAS, on August 27, 2019, the County Court of Washington County, Arkansas, entered an Amended Order of Annexation excluding the Property from the annexation affected by Ordinance No. 5068; and

Washington County, Arkansas
Circuit Clerk's Office
2019-00028072
KYLE SYLVESTER, Circuit Clerk

WHEREAS, Ordinance No. 5068 should be amended to exclude the Property so that the Property may correctly be deemed to be in Washington County, Arkansas.

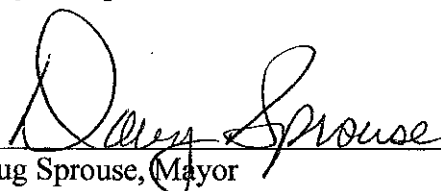
NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS:

Section 1: That Ordinance No. 5068 is hereby amended to remove the Property described herein, and said property is hereby excluded from the property annexed into the City of Springdale by Ordinance No. 5068, and upon the filing of this Ordinance, the Property described herein shall no longer be a part of the City of Springdale.

Section 2: That this ordinance shall be mailed to the recorder of deeds of Washington County, Arkansas, as well as the County Clerk of Washington County, Arkansas, who shall certify one copy of the plat of the annexed territory and one copy of the Order of the Court and the ordinance of this Council and forward a copy of each document to the Secretary of State and to the Director of the Tax Division of the Arkansas Public Service Commission to show the above described Property now located within Washington County, Arkansas.

Section 3: Emergency Clause. It is hereby declared that an emergency exists and this ordinance, being necessary for the preservation of the health, safety and welfare of the citizens of Springdale, Arkansas, shall be in effect immediately upon its passage and approval.

PASSED AND APPROVED this 10th day of September, 2019.





Doug Sprouse, Mayor

ATTEST



Denise Pearce, City Clerk

APPROVED AS TO FORM:



Ernest B. Cate, City Attorney

FILED

2019 AUG 27 AM 11:05

BECKY LEWALLEN
CO. & PROBATE CLERK
WASHINGTON CO. AR

IN THE COUNTY COURT OF WASHINGTON COUNTY, ARKANSAS

IN THE MATTER OF
ANNEXATION OF CERTAIN LANDS TO THE
CITY OF SPRINGDALE, ARKANSAS.

No. CC 2016-2

TO THE COUNTY JUDGE OF WASHINGTON
COUNTY, ARKANSAS

AMENDED ORDER OF ANNEXATION

Now on this 27th day of August, 2019, this cause comes on to be heard, the Petitioner, Sherry Farm LLC, and the City of Springdale, Arkansas, announcing ready for a hearing of the cause and there being no protests or objects filed, whereupon, the matter is submitted to the Court, the Court being well and sufficiently advised finds:

1. On June 2, 2016, this Court entered an Order of Annexation pertaining to the annexation of certain real property ("the Property") into the City of Springdale, Arkansas.

2. Pursuant to Ark. Code Ann. §14-40-601, *et seq.*, the City of Springdale passed Ordinance No. 5068 on July 12, 2016, annexing the Property into the City of Springdale, said Ordinance being filed for record with the Circuit Clerk of Washington County, Arkansas, on July 20, 2016, as File 2016-00020601.

3. It has since been discovered that the legal description contained in both the Order of Annexation entered by this Court, and Ordinance No. 5068 passed by the City of Springdale,

A4-736

contained an error resulting in a parcel of property being inadvertently annexed into the City of Springdale, and said property is not contiguous to the City of Springdale.

4. Accordingly, the Order of Annexation entered herein on June 2, 2016, needs to be amended to exclude this inadvertently annexed property from the Order of Annexation.

5. Upon the entry of an Amended Order of Annexation, the City of Springdale will take action to amend Ordinance No. 5068 to exclude the same inadvertently annexed property from the annexation.

6. The property to be excluded from the Order of Annexation entered by this Court on June 2, 2016, and to be excluded from Springdale Ordinance No. 5068 is described as:

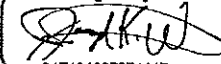
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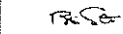
BEGINNING AT A FOUND 1/2" REBAR, SAID POINT BEING THE NORTHEAST CORNER OF SAID FORTY ACRE TRACT, THENCE S02°20'29"W 158.37' ALONG THE EAST LINE OF SAID FORTY ACRE TRACT TO A POINT ON THE NORTHERN RIGHT OF WAY OF HIGHWAY 412, THENCE ALONG SAID RIGHT OF WAY THE FOLLOWING 5 COURSES AND DISTANCES: N70°41'44"W 247.78', THENCE N73°12'02"W 201.87', THENCE N89°24'22"W 247.35', THENCE N66°10'21" W 131.27', THENCE N65°48'58"W 45.25' TO A FOUND 1/2" REBAR, THENCE N64°05'49"W 8.11' TO THE INTERSECTION OF SAID RIGHT OF WAY WITH THE NORTH LINE OF SAID FORTY ACRE TRACT, THENCE RUN ALONG SAID NORTH LINE S86°31'54"E 202.15' TO A FOUND 5/8" REBAR, THENCE CONTINUE ALONG SAID NORTH LINE RUNNING S85°48'35"E 649.52' TO THE POINT OF BEGINNING, AND CONTAINING 1.46 ACRES MORE OR LESS. SUBJECT TO EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

More commonly known as Washington County Tax Parcel No. 815-36197-400.

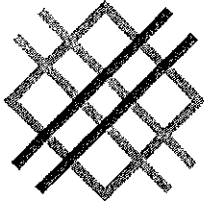
A4-737

IT IS THEREFORE, CONSIDERED, ORDERED AND ADJUDGED that the Order of Annexation entered by this Court on June 2, 2016, is hereby amended to remove the real property described in Paragraph 6 herein, and said property is hereby excluded from the property annexed into the City of Springdale, and upon entry of this Amended Order of Annexation, the City of Springdale shall take the necessary steps to amend Springdale Ordinance No. 5068 so as to be consistent with this Amended Order of Annexation, and upon the filing of the amended Ordinance, the property described in Paragraph 6 herein shall no longer be a part of the City of Springdale.

DocuSigned by:

34F40462767444F...
County Judge

DocuSigned by:

ABF7527CDFBB45C...

A4-738



SPRINGDALE™
WE'RE MAKING IT HAPPEN

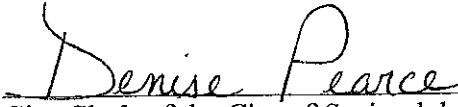
CERTIFICATE

2020 JUN -1 AM 11:04
BECKY LEWALLEN
CO. & PROBATE CLERK
WASHINGTON CO. AR

FILED

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. 5416, passed on September 10th, 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 29th day of May, 2020.



City Clerk of the City of Springdale
Washington County, Arkansas



**ARKANSAS
GIS OFFICE**

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

May 29, 2020

Mr. Clayton Sedberry
GIS Manager
City of Springdale
201 Spring Street
Springdale, AR 72764

RE: City of Springdale Ordinance 5416 to Amend Ordinance 5068

Mr. Sedberry,

Thank you for coordinating with our office as you seek to file Ordinance 5416 in Springdale AR, located in Section 9, Township 17 North, Range 29 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.

Please note that according to our records, the area to be amended (removed) from the City of Springdale appears to have never been included in our maps. Therefore, there will be no changes to our data.

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\Springdale\20200529_Amendment\Doc\20200529_Amendment_Springdale_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



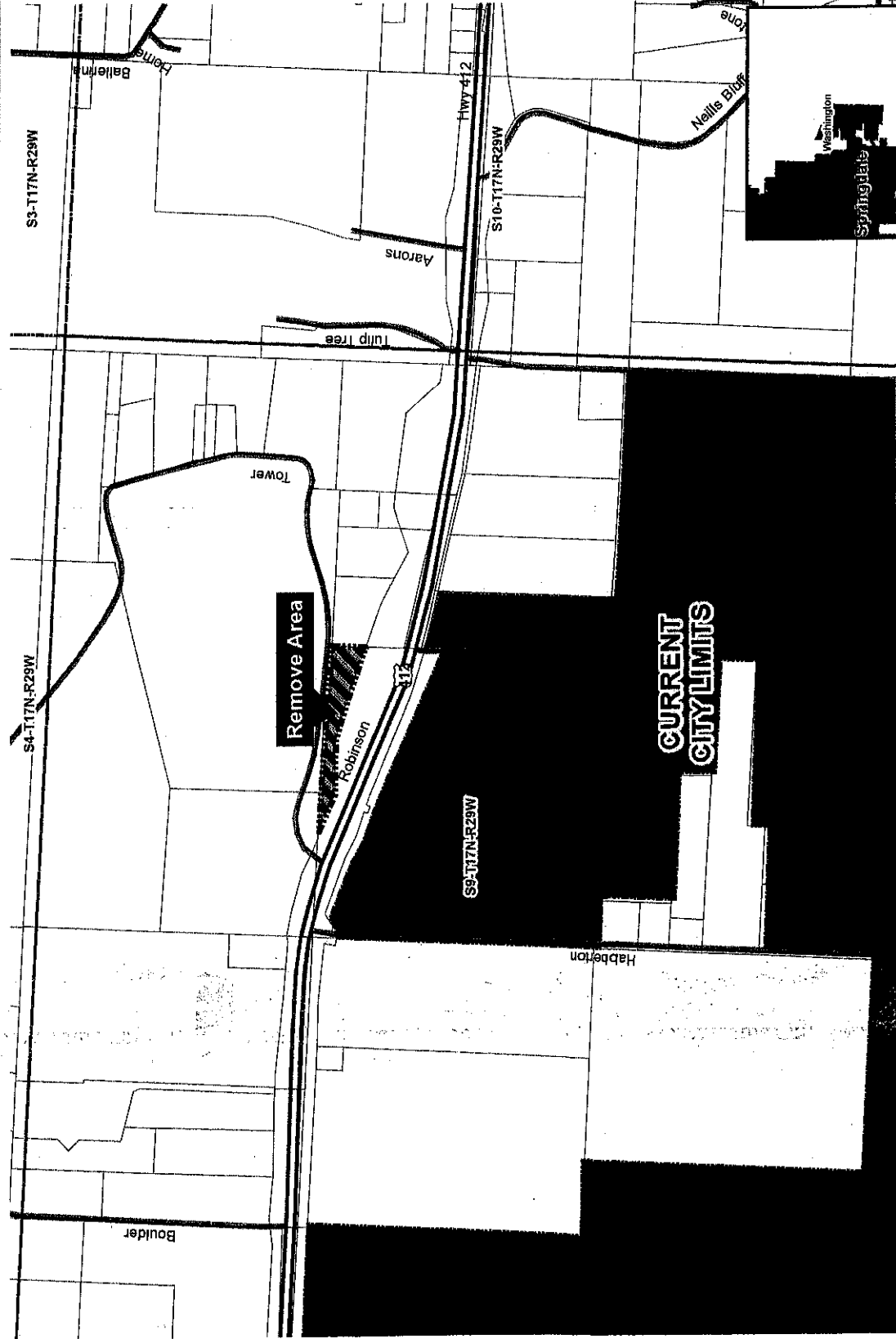
Ord 5417 to Ord 5583 - City of Springdale
May 2015

City: Springdale
Mayor: Doug Sprouse

Arkansas Code 14-40-101.

Before an entity undertakes or 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



Boundary Commission

- Boundary Commission
- Subdivisions
- Parcels
- Highway
- Minor Road
- Existing City

