



JOHN THURSTON
ARKANSAS SECRETARY OF STATE

January 13, 2021

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

Re: City of Siloam Springs Annexation Ordinance 20-28

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. §14-40-609 (petition of all landowners)
Effective Date: 11/17/2020
County: Benton
City Ordinance: 20-28
County Court Order: 2020-12
City: Siloam Springs
Dated: 11/17/2020
Date Filed: 11/25/2020

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,

Handwritten signature of Shantell McGraw in black ink.

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. Judy Nation, Mayor of Siloam Springs (w/encl)
The Hon. Renea Ellis, Siloam Springs 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

County: Benton City/Town: Siloam Springs

City Ordinance/Resolution No: 20-28 Date approved: 11/17/2020

County Court Case No: 2020-12 Date Order Filed: ~~08/26/2020~~ 11/25/2020

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

Date Change Effective: 11/17/2020 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: _____
(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. §14-10-501)*
- 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: Renea Ellis Title: Clerk/Treasurer

Street Address: PO Box 80

City: Siloam Springs St: AR Zip code: 72761

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: Cheamasters Title: Deputy Clerk

Date: 11/30/20

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]

ORDINANCE NO. 20-28

FILED

NOV 19 2020

AN ORDINANCE ACCEPTING THE ANNEXATION OF
CERTAIN TERRITORY DESCRIBED AS THE ENDURA PARK
ADDITION TO THE CITY OF SILOAM SPRINGS, ARKANSAS
AND ASSIGNING SAME TO A WARD.

BENTON COUNTY CLERK
BENTON COUNTY, ARKANSAS

WHEREAS, a petition was filed with the County Clerk of Benton County, Arkansas, by the owner of the hereinafter described territory praying that said territory be annexed to, and made a part of the City of Siloam Springs, Arkansas; and,

WHEREAS, on August 26, 2020, the County Court of Benton County, Arkansas, found that the petition was signed by 100% of real estate owners in said territory; that said territory was contiguous and adjoining the present corporate limits of the City of Siloam Springs, Arkansas; that an accurate plat or map of said territory had been filed with and made a part of said petition, and that no enclaves will be created if the petition is accepted by the City of Siloam Springs; and,

WHEREAS, the annexed parcel of real property is contiguous and adjacent to the other lands in Siloam Springs, Arkansas, which are located in Ward 2.

NOW, THEREFORE, BE IT ORDAINED BY THE City Board of Directors of the City of Siloam Springs, Arkansas:

Section 1. That the following described lands and contiguous territory adjoining the City of Siloam Springs, Arkansas, (and as shown on Attachment 1), be and the same is hereby accepted as part of and annexed to and made a part of the City of Siloam Springs, Arkansas:

The S/W 1/4 of the NE 1/4 of Section 29, Township 18 North, Range 33 West, Benton County, Arkansas, Being More Particularly described as Follows:

Beginning at an Iron Pin at the SW Corner of Said SW/4 of the NE/4, Thence along the West Line of Said 40 N02°22'47"E 1321.53 feet to an iron pipe at the NW Corner of Said SW/4 of the NE/4, Thence along the North Line of Said 40 S86°46'33"E 1299.61 feet to an iron pin in the West Right-of-Way Line of North Country Club Road. Thence along Said West Right-of-Way Line S03°01'23"W 1322.73 feet to an iron pin in the South Line of the Said SW/4 of the NE/4, Thence along Said South Line N86°42'S9"W 1284.78 feet to the POINT OF BEGINNING, containing 39.22 acres more or less and subject to all easements of record.

AND the right of way for Country Club Road, being 30 feet adjacent to the east side of the said property.

FILED

NOV 19 2020

Section 2. That the above-described territory shall be annexed to and made a part of Ward 1 of the City of Siloam Springs, Arkansas, and the same shall be a part of said ward as fully as existing parts of said ward.

BETSY HARRELL COUNTY CLERK
BENTON COUNTY, ARKANSAS

Section 3. That the zoning map of the City (Municipal Code Section 102-21) is hereby amended to include within the R-2 zoning district the described territory as follows:

The SW/4 of the NE/4, Section 29, Township 18 North, Range 33 West, Benton County, Arkansas, Less and Except a 30 foot wide strip along the East Side Thereof for a Street Right-of-Way, Being More Particularly Described as Follows:
Commencing at an Iron Pin at the SW Corner of Said SW/4 of the NE/4, Thence along the West Line of Said 40 N02°22'47"E 519.48 feet to the Point of Beginning, Thence continuing along said line N02°22'47"E 802.05 feet, to an iron pipe at the NW Corner of Said SW/4 of the NE/4, Thence along the North Line of Said 40 S86°46'33"E 1299.61 feet to an iron pin in the West Right-of-Way Line of North Country Club Road, Thence along Said West Right-of-Way Line S03°01'23"W 644.95 feet, Thence leaving said line, N86°46'37"W 1012.37 feet, Thence S03°13'27"W 145.00 feet, Thence N86°46'33"W 140.00 feet, Thence S03°13'27"W 12.00 feet, Thence N86°46'33"W 137.69 feet to the POINT OF BEGINNING, containing 20.15 acres (877,954.15 S.F.) more or less and subject to all easements of record.

Section 4. That the zoning map of the City (Municipal Code Section 102-21) is hereby amended to include within the R-4 zoning district the described territory as follows.

The SW/4 of the NE/4, Section 29, Township 18 North, Range 33 West, Benton County, Arkansas, Less and Except a 30 foot wide strip along the East Side Thereof for a Street Right-of-Way, Being More Particularly Described as Follows:
Beginning at an Iron Pin at the SW Corner of Said SW/4 of the NE/4, Thence along the West Line of Said 40 N02°22'47"E 352.21 feet, Thence S86°46'33"E 330.60 feet, Thence N03°13'27"E 179.25 feet, Thence N86°46'33"W 55.38 feet, Thence N03°13'27"E 145.00 feet, Thence S86°46'37"E 1012.37 feet to the West Right-of-Way Line of North Country Club Road, Thence along Said West Right-of-Way Line S03°01'23"W 677.78 feet to an iron pin in the South Line of the Said SW/4 of the NE/4, Thence along Said South Line N86°42'59"W 1284.78 feet to the POINT OF BEGINNING, containing 17.73 acres (772,546.79 S.F.) more or less and subject to all easements of record.

Section 5. That the zoning map of the City (Municipal Code Section 102-21) is hereby amended to include within the P-K zoning district the described territory as follows.

The SW/4 of the NE/4, Section 29, Township 18 North, Range 33 West, Benton County, Arkansas, Less and Except a 30 foot wide strip along the East Side Thereof for a Street Right-of-Way, Being More Particularly Described as Follows:
Commencing at an Iron Pin at the SW Corner of Said SW/4 of the NE/4, Thence

FILED

NOV 19 2020

along the West Line of Said 40 N02°22'47"E 352.21 feet to the Point of Beginning, Thence continuing along said line N02°22'47"E 167.27 feet, Thence leaving said line, S86°46'33"E 137.69 feet, Thence N03°13'27"E 12.00 feet, Thence S86°46'33"E 195.38 feet, Thence S03°13'27"W 179.25 feet, Thence N86°46'33"W 330.60 feet to the POINT OF BEGINNING, containing 1.33 acres (57,843.54 S.F.) more or less and subject to all easements of record.

Section 6. Thirty (30) days after passage and publication or posting of this Ordinance as authorized by law, the annexation shall be final and the property shall be within the corporate limits of the City of Siloam Springs, except as otherwise ordered by the Circuit Court pursuant to a cause of action filed within said thirty (30) day period.

Section 7. Within forty-five (45) days of the effective date of this ordinance the city clerk shall provide written notice, along with complete documentation, to the county clerk of Benton County.

Section 8. Administrative corrections. The city attorney is hereby authorized to make grammatical and stylistic corrections to this ordinance that do not affect the substance thereof.

Section 9. Repealer and severability. Prior Ordinances in conflict with the provisions enacted herein are repealed to the extent of the conflict as of the effective date of this Ordinance. If any provision of a section of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity does not affect the other provisions or applications of the section or related sections which can be given effect without the invalid provision or application, and to this end the provisions are severable.

ORDAINED AND ENACTED this 17th day of November 2020.

APPROVED:

[Signature]
John Mark Turner, Mayor



ATTEST:

[Signature]
Renea Ellis, City Clerk

(SEAL)



2020 NOV 25 PM 2:03

CLERK
BENTON COUNTY, AR

IN THE MATTER OF ANNEXING TO THE
CITY OF SILOAM SPRINGS, ARKANSAS
CERTAIN TERRITORY CONTIGUOUS TO SAID
CITY OF SILOAM SPRINGS, ARKANSAS

CC 2020-12

ORDER CONFIRMING ANNEXATION

Now on this day is presented to the Court the complete file for the annexation of certain land to the City of SILOAM SPRINGS, Benton County, Arkansas, under this file number, including specifically a copy of the plat of the annexed property and a copy of the resolution or ordinance of the governing body of the city or town accepting the property for annexation, and having reviewed the file and all things considered, the Court finds that all the requirements of § 14-40-609 of the Arkansas Code have been complied with and further that the annexation is in all respects proper, including if applicable, that the annexing city or town has included in the legal description included with its resolution or ordinance accepting the property for annexation certain dedicated public roads and rights of way abutting or traversing the property to be annexed if required by the Court's previous order entered in this file.

IT IS THEREFORE CONSIDERED AND ORDERED that the annexation of the above described lands to the City of SILOAM SPRINGS, Benton County, Arkansas, is hereby confirmed and that the same is and shall hence forth comprise a part of the City of SILOAM SPRINGS, Benton County, Arkansas.


HON. BARRY MOEHRING, County Judge

11.25.2020
Date

2020-5102

FILED

2020 AUG 25 PM 12:40

BETSY HARRELL
CO & PROBATE CLERK
BENTON COUNTY, AR

2020 AUG 25 PM 2:26

BETSY HARRELL
CO & PROBATE CLERK
BENTON COUNTY, AR
CC 2020-12

IN THE MATTER OF ANNEXING TO THE
CITY OF SILOAM SPRINGS, ARKANSAS
CERTAIN TERRITORY CONTIGUOUS TO SAID
CITY OF SILOAM SPRINGS, ARKANSAS

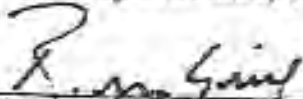
VERIFICATION OF PETITION FOR ANNEXATION PURSUANT TO ACA § 14-40-609

We, Betsy Harrell, County Clerk of Benton County, and Roderick Grieve, County Assessor of Benton County, attest as follows:

Our offices have received the attached petition seeking annexation. The petition has been reviewed and we hereby verify that the petition:

- (A) is in writing;
- (B) contains an attestation signed before a notary or notaries by the property owner or owners of the relevant property or properties confirming the desire to be annexed;
- (C) contains an accurate description of the relevant property or properties;
- (D) contains a letter or title opinion from a certified abstractor or title company verifying that the petitioners are all owners of record of the relevant property or properties;
- (E) contains a letter or verification from a certified surveyor or engineer verifying that the relevant property or properties are contiguous with the annexing city or town and that no enclaves will be created if the property or properties are accepted by the city or town; and
- (F) include a schedule of services of the annexing city or town that will be extended to the area within three (3) years after the date the annexation becomes final.


HON. BETSY HARRELL, County Clerk


HON. RODERICK GRIEVE, County Assessor

2020 3624

FILED

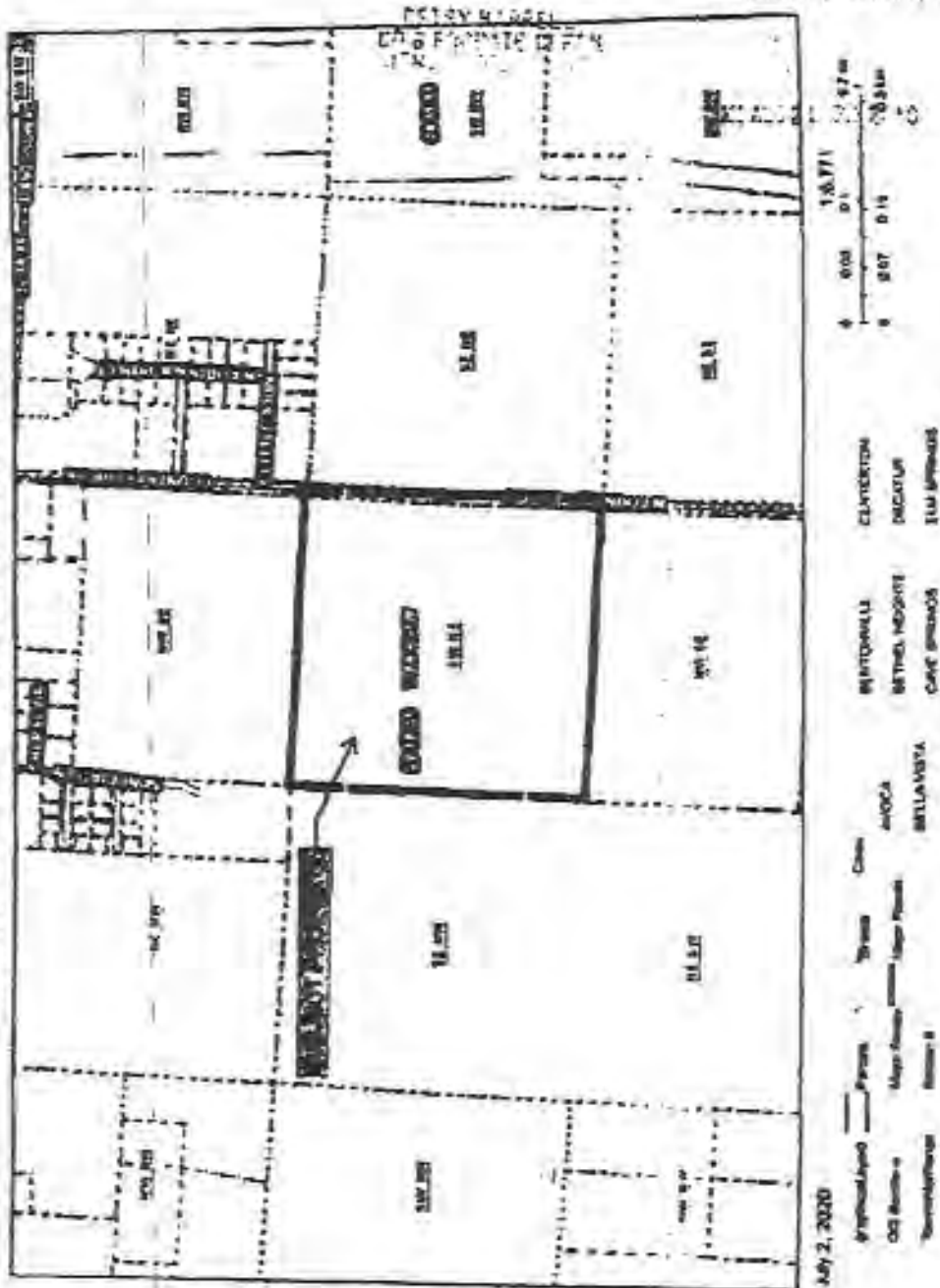
NOV 19 2020

FILED

2020 AUG 26 PM 12:41

BETSY HARKLE, COUNTY CLERK
BENTON COUNTY, ARKANSAS

VICINITY MAP - SILOAM ENDURA PARK LLC ANNEXATION



2020 3629

2020.5076

F
NO - 19 2020

CERTIFICATE

BETSY HALL, City Clerk
BENTON, ARKANSAS

I, Renea Ellis, the duly appointed, qualified and acting City Clerk of Siloam Springs, Arkansas, do hereby certify that the above and foregoing Ordinance #20-28 is a true and correct copy of the Ordinance as the same appears in the records of said City, adopted at a regular meeting of the Board of Directors of Siloam Springs, held on the 17th day of November 2020, at which meeting a quorum of the Board of Directors was present, and said Ordinance was adopted by a vote of 7 ayes, 0 nays.

Witness my hand and seal as City Clerk of Siloam Springs on this 18th day of November 2020.

Renea Ellis
Renea Ellis, City Clerk

(SEAL)



2020.5077

BENTON COUNTY

STATE OF ARKANSAS

BETSY HARRELL

COUNTY CLERK & VOTER REGISTRAR

215 EAST CENTRAL, SUITE 217
BENTONVILLE, AR 72712-5371
479-271-1013
Fax: 479-271-1019

PROBATE COURT CLERK
COURTHOUSE, 102 N.E. "A" STREET
BENTONVILLE, AR 72712-5350
479-271-5727
Fax: 479-271-1712

September 21, 2020

Honorable John Mark Turner
City of Siloam Springs
P O Box 80
Siloam Springs, AR 72761

Re: In the Matter of Annexing to the City of Siloam Springs, Arkansas Certain
Territory Contiguous To Said City of Siloam Springs, Arkansas

Dear Mayor Turner:

The County has received and processed a proposed annexation pursuant to ACA § 14-40-609 related to annexations by 100% of the property owners. I am transmitting to you a copy of the documents relating to the proposed annexation for consideration by the Siloam Springs City Council.

The legal description for the annexation as proposed by the Petitioners did not include in its description certain dedicated public roads and rights of way abutting or traversing the property to be annexed, the legal descriptions for which are included on the attached Exhibit "A" and which are depicted in the attached Exhibit "B" to the County Judge's Order Authorizing Annexation. If your town desires to annex this property, the County Judge has required that you include the property in Exhibit "A" in what you are accepting. If you fail to do so, the County Judge has indicated he will not confirm the annexation.

If your council and you approve the annexation, please ask your clerk or recorder to return to me one (1) certified copy of the plat of the annexed property and one (1) certified copy of the ordinance or resolution approving the annexation so that I can send those on to the Secretary of State as required by the statute.

Please feel free to contact me if you have questions.

Sincerely,

BETSY HARRELL, County Clerk

CNC ROGERS OFFICE
2111 W. WALNUT
(479) 636-3727
Fax (479) 636-4922

ROGERS ARCHIVES
2111 W. WALNUT
(479) 636-1037
Fax (479) 636-1033

SILOAM SPRINGS OFFICE
707 S. LINCOLN
479-271-1013
Fax (479) 524-8534

TTLED

2020 AUG 26 PM 12:30

BEISY HARRELL
CO & PROBATE CLERK
BENTON COUNTY, ARKANSAS

IN THE MATTER OF ANNEXING TO THE
CITY OF SILOAM SPRINGS, ARKANSAS
CERTAIN TERRITORY CONTIGUOUS TO SAID
CITY OF SILOAM SPRINGS, ARKANSAS

COUNTY COURT ORDER NO. CC 2020-12

ORDER AUTHORIZING ANNEXATION PURSUANT TO ACA § 14-40-609

I, Barry Moehring, County Judge of Benton County, having reviewed the attached petition for annexation and verification of petition, hereby find that the petition:

- 1) is in writing;
- 2) contains an attestation signed before a notary or notaries by the property owner or owners of the relevant property or properties confirming their desire to be annexed;
- 3) contains an accurate description of the relevant property or properties;
- 4) contains a letter or title opinion from a certified abstractor or title company verifying that the petitioners are all owners of record of the relevant property or properties;
- 5) contains a letter or verification from a certified surveyor or engineer verifying that the relevant property or properties are contiguous with the annexing city or town and that no enclaves will be created if the property or properties are accepted by the city or town - additionally a copy of the letter from the State of Arkansas GIS office approving the legal description for the annexation was provided;
- 6) includes a schedule of services of the annexing city or town that will be extended to the area within three (3) years after the date the annexation becomes final; and
- 7) does not include in its description certain dedicated public roads and rights of way abutting or traversing the property to be annexed, the legal description(s) for which are included on the attached Exhibit "A" to this order, and which are depicted in the attached Exhibit "B" to this order, and any acceptance of this annexation by the City of Siloam Springs is required to include acceptance of the property described in Exhibit "A" and depicted in Exhibit "B" in the resolution or ordinance accepting such annexation or an order confirming the annexation will not be entered.

The County Clerk is directed to forward a copy of this order and the related Petition to the Mayor of the City of Siloam Springs.



HON. BARRY MOEHRING, County Judge

8-26-2020

Date

2020 3623

FILED

2020 AUG 26 PM 12:40

BETSY HARRELL
CO. & PROBATE CLERK
BENTON COUNTY, AR

2020 AUG 25 PM 2:27


BETSY HARRELL
CO. & PROBATE CLERK
BENTON COUNTY, AR



Date: August 24, 2020
Subject: Proposed Annexation Checklist
CC 2020-12 Siloam Springs, AR

- ✓ (A) is in writing;
 - ✓ (B) contains an attestation signed before a notary or notaries by the property owner or owners of the relevant property or properties confirming the desire to be annexed;
 - ✓ (C) contains an accurate description of the relevant property or properties;
 - ✓ (D) contains a letter or title opinion from a certified abstractor or title company verifying that the petitioners are all owners of record of the relevant property or properties;
 - ✓ (E) contains a letter or verification from a certified surveyor or engineer verifying that the relevant property or properties are contiguous with the annexing city or town and that no enclaves will be created if the property or properties are accepted by the city or town; and
 - ✓ (F) include a schedule of services of the annexing city or town that will be extended to the area within three (3) years after the date the annexation becomes final.
- SEE ATTACHED ✓ [Additionally, we note that the legal description in (B) does not include in its description certain dedicated public roads and rights of way abutting or traversing the property to be annexed, the legal descriptions for which are included on the attached Exhibit "A"]

Please contact me if you have any questions.


Michael D. Million
Manager - GIS-Mapping Dept.
Benton County Assessor's Office
Phone: 479-271-1037, ext. 7004
Email: michael.million@bentoncountyar.gov

2020 3625

(Solid Waste) Service - Immediately; Potable Water and Wastewater - Immediately; and Zoning and Code Enforcement - Immediately. 2020 08 21 11:21:18

[Signature]
Signature of Property Owner

TAMARA J. MARTIN, Manager
(Printed Name and Title)

Siloam Endura Park, LLC
P.O. Box 1120
Tontitown, AR 72770

ACKNOWLEDGEMENT

State of Arkansas)
County of WASHINGTON)

On this the 18th day of AUGUST, 2020, before me the undersigned notary, personally appeared TAMARA MARTIN, known personally to me (or satisfactorily proven) to be the MANAGER of Siloam Endura Park, LLC and acknowledged that he/she, as an agent being authorized so to do, executed the foregoing instrument for the purposes therein contained.

In witness whereof I hereunto set my hand and official seal.

[Signature]
Notary Public

My Commission expires
03/14/2023



FILED

2020 AUG 25 PM 12:40

BETSY HARRELL
CO & PROBATE CLERK
BENTON COUNTY, AR

EXHIBIT "A"

Date: August 25, 2020

Subject: Proposed Annexation

CC 2020-12 Siloam Springs

FILED

2020 AUG 25 PM 2:32

BETSY HARRELL
CO & PROBATE CLERK
BENTON COUNTY, AR

Right of Way for Country Club Road, being 30 feet adjacent to the east side of petitioner's property cannot be annexed by this petition because the owner of the property (parcel number 18-14049-000) is owned by Benton County.

This exhibit is to inform any concerned parties as to this fact. It appears that the right of way should be inside the city limits after annexation, but the petitioner does not own the property and therefore cannot include it in their petition.

2020 3626

THE COUNTY COURT OF BENTON COUNTY, ARKANSAS

CASE NO. 2020- 12

SEP 21 5 21 13

PETITION FOR ANNEXATION

IN THE MATTER OF ANNEXING TO
THE CITY OF SILOAM SPRINGS, ARKANSAS
CERTAIN TERRITORY CONTIGUOUS TO
SAID CITY OF SILOAM SPRINGS, ARKANSAS

DATE: _____

Come now the undersigned petitioners, and state as follows:

1. That we, owning 100% of the property in the following described area, do hereby petition, pursuant to A.C.A. 14-40-609, the Board of Directors of Siloam Springs, Arkansas, to annex the following lands to the City of Siloam Springs, Arkansas:

SURVEY DESCRIPTION:

The SW 4 of the NE/4, Section 29, Township 18 North, Range 33 West, Benton County, Arkansas. Less and Except a 30 foot wide strip along the East Side Thereof for a Street Right-of-Way, Being More Particularly Described as Follows:

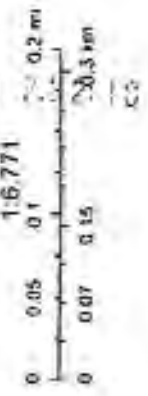
Beginning at an Iron Pin at the SW Corner of Said SW/4 of the NE/4. Thence along the West Line of Said 40 N02°22'47"E 1321.53 feet to an iron pipe at the NW Corner of Said SW/4 of the NE/4. Thence along the North Line of Said 40 S86°46'33"E 1299.61 feet to an iron pin in the West Right-of-Way Line of North Country Club Road. Thence along Said West Right-of-Way Line S03°01'23"W 1322.73 feet to an iron pin in the South Line of the Said SW/4 of the NE/4. Thence along Said South Line N86°42'59"W 1284.78 feet to the POINT OF BEGINNING, containing 39.22 acres more or less and subject to all easements of record.

2. We further state that this petition is signed by 100% of the real estate owners owning 100% of the acreage in said area.
3. That said property described herein is contiguous to and adjoining the present Siloam Springs city limits, as shown on the map attached hereto as Exhibit A.
4. That no enclaves will be created if this petition is accepted and the territory annexed into the City of Siloam Springs.
5. That the following schedule of services shall be extended to the area by the City of Siloam Springs within three (3) years after the date the annexation becomes final: Fire Protection - Immediately; Police Protection - Immediately; Sanitation

VICINITY MAP - SILOAM ENDURA PARK LLC ANNEXATION



July 2, 2020



- graphical/layer 0 Parcels
 - Streets
 - Cities
 - OO Sections
 - Major Roads
 - Major Roads
 - Township/Range
 - Section #
- | | | |
|-------------|----------------|-------------|
| CENTERTON | BENTONVILLE | AVOCA |
| DECATUR | BETHEL HEIGHTS | BELLA VISTA |
| ELM SPRINGS | CAVE SPRINGS | |

701 South Mount Olive Street
P.O. Box 12
Siloam Springs, AR 72761



voice (479) 524-9956
fax (479) 524-4747
mailto:civilengineering@silosprings.com

July 2, 2020

To Whom It May Concern:

RE: Benton County Tax Parcels 18-14048-000
SW/4 of NE/4, Section 29, T-18-N, R-33-W
Total Acres: 39.22
Owner: Siloam Endura Park, LLC

Dear Sirs:

I, Ron Homeyer, Arkansas Professional Engineer Number 7731, do hereby certify and confirm that the above referenced 39.22-acre tract, located in the SW/4 of NE/4 of Section 29, Township 18 North, Range 33 West, identified as Benton County Tax Parcel number 18-14048-000, owned by Siloam Endura Park, LLC, is contiguous to the City Limits of the City of Siloam Springs. I also certify and confirm that the annexation of the said 39.22-acre tract will not create an enclave.

Sincerely,

Ron Homeyer, P.E.
President



citytitle^{LLC}
& closing

FILED 2021 JUL 21 PM 2:11 E

1450 E. Zion Road - Suite 7
Fayetteville, AR 72703

OWNERSHIP REPORT

File No. 20-5750

The undersigned, having made a diligent search of the records of Benton County, Arkansas, through July 20, 2020 at 7:00 a.m. of the following described property:

**The SW 1/4 of the NE 1/4 of Section 29, Township 18 North, Range 33 West, Benton County, Arkansas.
Less & Except: a strip of land 30 feet in width, running North and South squarely off the East side.**

Find the vesting as to the Land as follows: **Siloam Endura Park, LLC**

Filing Information for Vesting:

Parcel No. 18-14048-000

The current vesting deed for the above described land is as follows:

Warranty Deed executed by Dale Moten, an unmarried person, as Grantor, to Siloam Endura Park, LLC, an Arkansas limited liability company, as Grantee, filed April 3, 2020 as Land Document No. L202018266, records of Benton County, Arkansas.

City Title & Closing LLC
1450 E. Zion Road, Suite 7
Fayetteville, AR 72703
479-935-4177

By
Jessica L. Woolen, Authorized Signatory
Agency License No. 382820
NPN Agent No. 9905477

****DISCLAIMER****

This report is being issued without representation as to the status or validity of the title, and the Company assumes no liability for errors or omissions. The Company shall not exceed the amount paid for the report.

NEW TOWN
TOWN CO. AR FEE \$28.00
PRESENTED & L-RECORDED
04/03/2020 09:00:41 AM
BRENDA DESHES CO
Clerk of the County

2020 MAR 31 9 2:15

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

That I, Dale Moten, an unmarried person, hereinafter called "Grantor", for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration to me in hand paid by Siloam Endura Park, LLC, an Arkansas limited liability company, hereinafter called "Grantee", do hereby grant, bargain, sell and convey unto the said Grantee and Grantee's successors and assigns, the following described land situate in Benton County, State of Arkansas, to-wit:

The SW 1/4 of the NE 1/4 of Section 29, Township 18 North, Range 33 West, Benton County, Arkansas. Less & Except: A strip of land 30 feet in width, running North and South squarely off the East side.

Subject to recorded instruments, covenants, rights of way, and easements.
Subject to all prior mineral reservations and oil and gas leases, if any.

[Legal description provided by Realty Title & Closing Services, LLC.]

TO HAVE AND TO HOLD the said lands and appurtenances thereunto belonging unto the said Grantee and Grantee's successors and assigns, forever. And I, the said Grantor, hereby covenant that I am lawfully seized of said land and premises, that the same is unencumbered, and that I will forever warrant and defend the title to the said lands against all claims whatever.

WITNESS my hand and seal on this 31st day of March, 2020.

MAIL TAX STATEMENT TO:

Siloam Endura Park, LLC
P.O. Box 1120
Tontitown AR 72790

Dale Moten
Dale Moten

Please see the attached Real Estate Transfer Tax Stamp for proof of tax paid and certification that documentary stamps or a documentary symbol in the legally correct amount have been placed on this instrument.

ACKNOWLEDGEMENT

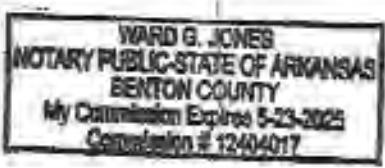
STATE OF ARKANSAS)
COUNTY OF BENTON) ss.

On this the 31st day of March, 2020, before me, a Notary Public, personally appeared Dale Motes, an unmarried person, known to me (or satisfactorily proven) to be the person whose name is subscribed to the foregoing instrument and acknowledged that he had executed the same for the consideration, uses and purposes therein set forth.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

My Commission Expires:
5-23-2025

[Signature]
Notary Public



Prepared by: Stephen J. Miller, Harrington, Miller, Kielbaso, Eichmann & Brown, P.A.
4710 S. Thompson, Suite 102, Springdale, Arkansas 72764



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

APR 21 PM 2:15

Real Estate Transfer Tax Stamp
Proof of Tax Paid



File Number: 20-5551755

Grantee:
Mailing Address:

SILOAM ENDURA PARK, LLC
P.O. BOX 1120
TONTITOWN AR 727700000

Grantor:
Mailing Address:

DALE MOTEN
P.O. BOX 488
SILOAM SPRINGS AR 727610000

Property Purchase Price:
Tax Amount:

\$650,000.00
\$2,145.00

County:
Date Issued:
Stamp ID:

BENTON
04/03/2020
878446592

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):

Ivanne Torres

Grantee or Agent Name (signature):



[Signature]

Date: 4/03/2020

Address:

3711 W. Walnut - Rogers, AR 72756

City/State/Zip:

479-636-7766

21 Dec 2019



CERTIFICATE OF RECORD
STATE OF ARKANSAS, COUNTY OF BENTON
I hereby certify that this instrument was
Filed and recorded in the Official Records
in Doc Num L202014299
04/03/2020 @10:41 AM
Dennis DeShields
BENTON COUNTY Circuit Clerk & Recorder

IN THE MATTER OF ANNEXING TO THE
CITY OF SILOAM SPRINGS, ARKANSAS
CERTAIN TERRITORY CONTIGUOUS TO SAID
CITY OF SILOAM SPRINGS, ARKANSAS

2020 AUG 25 PM 2:26

CLERK OF COURT
BENTON COUNTY, ARKANSAS

CC 2020-12

VERIFICATION OF PETITION FOR ANNEXATION PURSUANT TO ACA § 14-40-609

We, Betsy Harrell, County Clerk of Benton County, and Roderick Grieve, County Assessor of Benton County, attest as follows:

Our offices have received the attached petition seeking annexation. The petition has been reviewed and we hereby verify that the petition:

- (A) is in writing;
- (B) contains an attestation signed before a notary or notaries by the property owner or owners of the relevant property or properties confirming the desire to be annexed;
- (C) contains an accurate description of the relevant property or properties;
- (D) contains a letter or title opinion from a certified abstractor or title company verifying that the petitioners are all owners of record of the relevant property or properties;
- (E) contains a letter or verification from a certified surveyor or engineer verifying that the relevant property or properties are contiguous with the annexing city or town and that no enclaves will be created if the property or properties are accepted by the city or town; and
- (F) include a schedule of services of the annexing city or town that will be extended to the area within three (3) years after the date the annexation becomes final.


HON. BETSY HARRELL, County Clerk


HON. RODERICK GRIEVE, County Assessor



2020 AUG 25 PM 2: 27

CLERK
BENTON COUNTY, AR

Date: August 24, 2020
Subject: Proposed Annexation Checklist
CC 2020-12 Siloum Springs, AR

- ✓ (A) is in writing;
- ✓ (B) contains an attestation signed before a notary or notaries by the property owner or owners of the relevant property or properties confirming the desire to be annexed;
- ✓ (C) contains an accurate description of the relevant property or properties;
- ✓ (D) contains a letter or title opinion from a certified abstractor or title company verifying that the petitioners are all owners of record of the relevant property or properties;
- ✓ (E) contains a letter of verification from a certified surveyor or engineer verifying that the relevant property or properties are contiguous with the annexing city or town and that no enclaves will be created if the property or properties are accepted by the city or town; and
- ✓ (F) include a schedule of services of the annexing city or town that will be extended to the area within three (3) years after the date the annexation becomes final.
- ✓ [Additionally, we note that the legal description in (B) does not include in its description certain dedicated public roads and rights of way abutting or traversing the property to be annexed, the legal descriptions for which are included on the attached Exhibit "A"]

SEE
ATTACHED

Please contact me if you have any questions.

Michael D. Million
Manager - GIS-Mapping Dept.
Benton County Assessor's Office
Phone: 479-271-1037 ext. 7004
Email: michael.million@bentoncountyar.gov

EXHIBIT "A"

Date: August 25, 2020

Subject: Proposed Annexation

CC 2020-12 Siloam Springs

FILED
2020 AUG 25 PM 2:32

CLERK
BENTON COUNTY, AR

Right of Way for Country Club Road, being 30 feet adjacent to the east side of petitioner's property cannot be annexed by this petition because the owner of the property (parcel number 18-14049-000) is owned by Benton County.

This exhibit is to inform any concerned parties as to this fact. It appears that the right of way should be inside the city limits after annexation, but the petitioner does not own the property and therefore cannot include it in their petition.

THE COUNTY COURT OF BENTON COUNTY, ARKANSAS

CASE NO. 2020- 12

2023 MAR 21 PM 2:18

PETITION FOR ANNEXATION

IN THE MATTER OF ANNEXING TO
THE CITY OF SILOAM SPRINGS, ARKANSAS
CERTAIN TERRITORY CONTIGUOUS TO
SAID CITY OF SILOAM SPRINGS, ARKANSAS

DATE: _____

Come now the undersigned petitioners, and state as follows:

1. That we, owning 100% of the property in the following described area, do hereby petition, pursuant to A.C.A. 14-40-609, the Board of Directors of Siloam Springs, Arkansas, to annex the following lands to the City of Siloam Springs, Arkansas:

SURVEY DESCRIPTION:

The SW/4 of the NE/4, Section 29, Township 18 North, Range 33 West, Benton County, Arkansas, Less and Except a 30 foot wide strip along the East Side Thereof for a Street Right-of-Way, Being More Particularly Described as Follows:

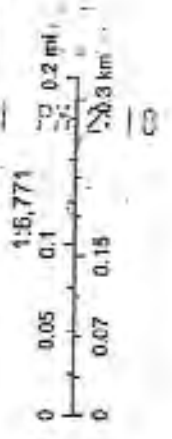
Beginning at an Iron Pin at the SW Corner of Said SW/4 of the NE/4, Thence along the West Line of Said 40 N02°22'47"E 1321.53 feet to an iron pipe at the NW Corner of Said SW/4 of the NE/4, Thence along the North Line of Said 40 S86°46'33"E 1299.61 feet to an iron pin in the West Right-of-Way Line of North Country Club Road, Thence along Said West Right-of-Way Line S03°01'23"W 1322.73 feet to an iron pin in the South Line of the Said SW/4 of the NE/4, Thence along Said South Line N86°42'59"W 1284.78 feet to the POINT OF BEGINNING, containing 39.22 acres more or less and subject to all easements of record.

2. We further state that this petition is signed by 100% of the real estate owners owning 100% of the acreage in said area.
3. That said property described herein is contiguous to and adjoining the present Siloam Springs city limits, as shown on the map attached hereto as Exhibit A.
4. That no enclaves will be created if this petition is accepted and the territory annexed into the City of Siloam Springs.
5. That the following schedule of services shall be extended to the area by the City of Siloam Springs within three (3) years after the date the annexation becomes final: Fire Protection - Immediately; Police Protection - Immediately; Sanitation

VICINITY MAP - SILOAM ENDURA PARK LLC ANNEXATION



July 2, 2020



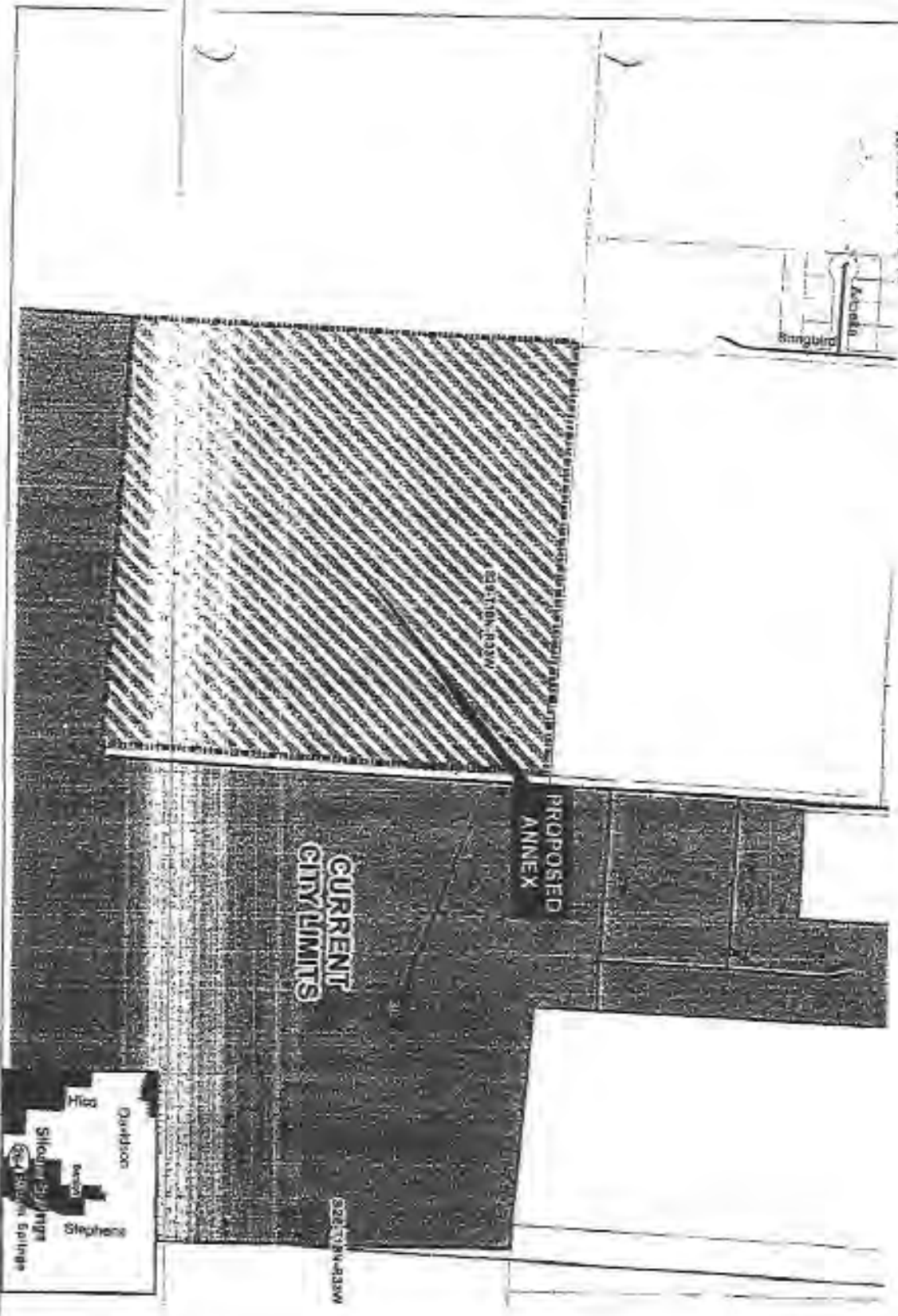
- graphics\layer0
- Parcels
- Streets
- Cities
- CO Sections
- Major Roads
- Major Roads
- Township/Range
- Section #
- AYOCA
- BELLA VISTA
- BENTONVILLE
- BETHEL HEIGHTS
- CAVE SPRINGS
- CENTERTON
- DECATUR
- ELM SPRINGS

2023 AUG 21 PM 2:18

City of Steam Springs

Proposed "Endure Park LLC" Annex: City of Steam Springs August 2023

City: Steam Springs
Mayor: John Mark Turner



American Code (A-C-17)

Shows an ally developer in
operation, construction,
or defunct, possibly under its
title, for entry and control set
by the State Department of
Public Safety for inspection of
plans and other documents for
the various construction and
operational work.

The city contains a small, to include
the entry and other requirements of
July 2015.



0.00178/0.05 0.07
Miles

Quadsion
Hid
Stephens
Silicon Springs
City of Steam Springs



https://www.cityofsteamsprings.com/



citytitle^{llc}
& closing

2020 APR 21 PM 2:18

1450 E. Zion Road - Suite 7
Fayetteville, AR 72703

OWNERSHIP REPORT

File No. 20-5750

The undersigned, having made a diligent search of the records of Benton County, Arkansas, through July 20, 2020 at 7:00 a.m. of the following described property:

The SW 1/4 of the NE 1/4 of Section 29, Township 18 North, Range 33 West, Benton County, Arkansas.
Less & Except: a strip of land 30 feet in width, running North and South squarely off the East side.

Find the vesting as to the Land as follows: Siloam Endura Park, LLC

Filing Information for Vesting:

Parcel No. 18-14048-000

The current vesting deed for the above described land is as follows:
Warranty Deed executed by Dale Moten, an unmarried person, as Grantor, to Siloam Endura Park, LLC, an Arkansas limited liability company, as Grantee, filed April 3, 2020 as Land Document No. L202018206, records of Benton County, Arkansas.

City Title & Closing LLC
1450 E. Zion Road, Suite 7
Fayetteville, AR 72703
479-935-4177

By:
Jessica L. Wooten, Authorized Signatory
Agency License No. 382820
NPN Agent No. 9905477

****DISCLAIMER****

This report is being issued without any representation as to the status or validity of the title, and the Company assumes no liability by virtue of errors or omissions. Any liability of the Company shall not exceed the amount paid for the report.

2020 AUG 21 PM 2:19

Please see the attached Real Estate Transfer Tax Stamp for proof of tax paid and certification that documentary stamps or a documentary symbol in the legally correct amount have been placed on this instrument.

ACKNOWLEDGEMENT

STATE OF ARKANSAS)
COUNTY OF BENTON) ss.

On this the 31st day of March, 2020, before me, a Notary Public, personally appeared Dale Moten, an unmarried person, known to me (or satisfactorily proven) to be the person whose name is subscribed to the foregoing instrument and acknowledged that he had executed the same for the consideration, uses and purposes therein set forth.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

My Commission Expires:
5-23-2025

Ward G. Jones
Notary Public

WARD G. JONES
NOTARY PUBLIC-STATE OF ARKANSAS
BENTON COUNTY
My Commission Expires 5-23-2025
Commission # 12404017

Prepared by: Stephen J. Miller, Harrington, Miller, Kicklak, Eichmann & Brown, P.A.
4710 S. Thompson, Suite 100, Springdale, Arkansas 77764

2024 AUG 21 PM 2:19



CERTIFICATE OF RECORD
STATE OF ARKANSAS, COUNTY OF BENTON
I hereby certify that this instrument was
Filed and Recorded in the Official Records
in Doc Num L200212206
08/13/2020 08:40:41 AM
Brenda DeShields
BENTON COUNTY Circuit Clerk & Recorder



**ARKANSAS
GIS OFFICE**

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

2020-08-21 7:23:13

August 20, 2020

Mr. Ron Homeyer, P.E.
Civil Engineering, Inc.
701 S Mt Olive St
Siloam Springs, AR 72761

RE: City of Siloam Springs Annexation Coordination Requirement

Mr. Homeyer,

Thank you for coordinating with our office as you seek to annex property into the City of Siloam Springs, AR described as the "Endura Park LLC" annexation and located in Section 29, Township 18 North, Range 33 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

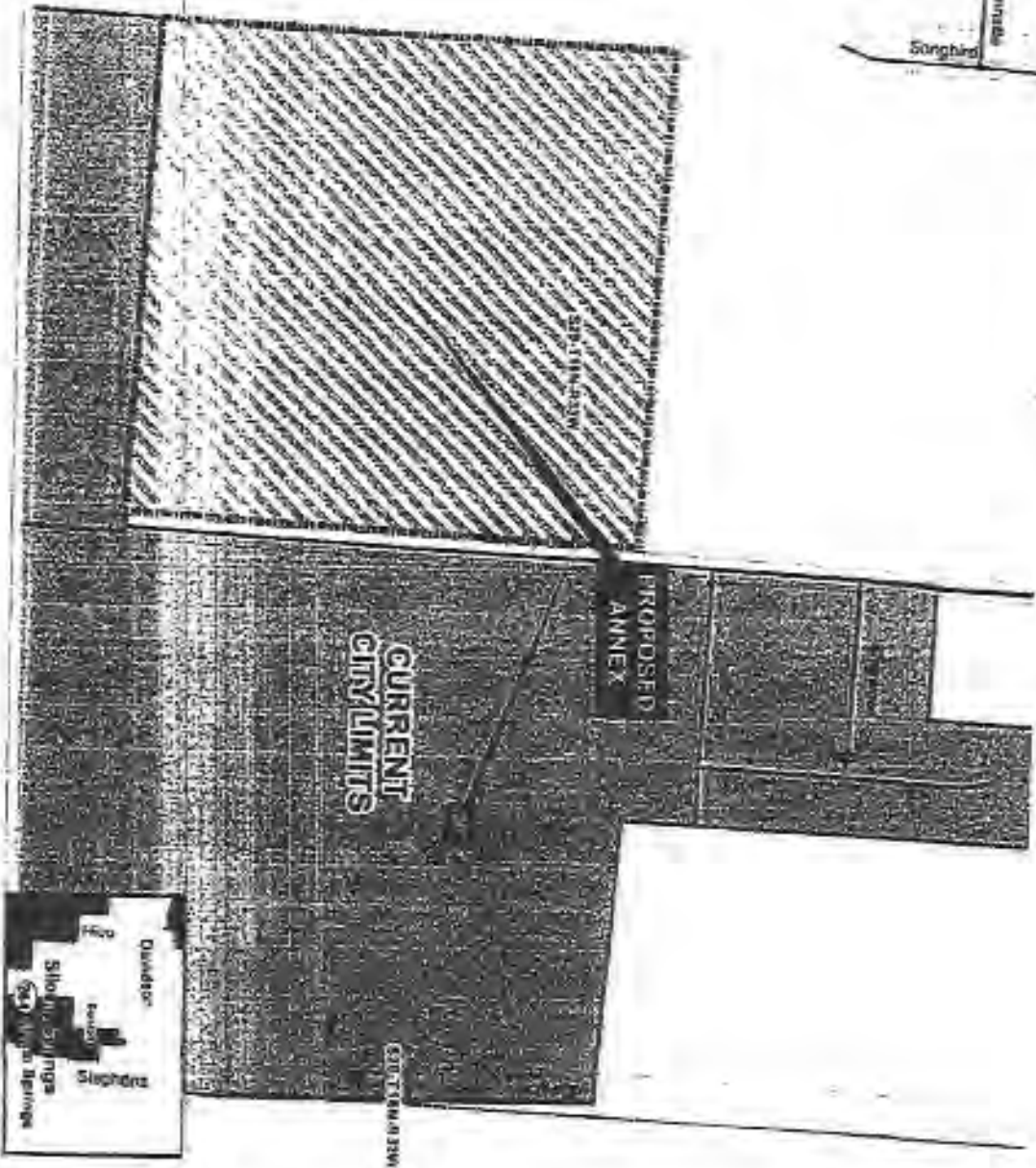
Attachments:
GIS Office Map of Proposed Annexation
Legal Description
Secretary of State Municipal Change Checklist

H:\City_Annexations\Cities\Siloam_Springs\20200820\Dec\20200820_Siloam_Springs_Annexation_Coordination_Letter.docx

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

Proposed "Endless Park LLC" Annex: City of Shioam Springs
August 2020

City of Shioam Springs
Mayor: JOHN MARK TURNER



11-200001-DWG 1/4/20/07

Scale: As Shown, dimensions of proposed development are shown in feet and inches. No larger descriptive information is shown for orientation of legal descriptions and other things as per current ordinance. Consultation for subdivision area.

This map contained herein is subject to any and all requirements of the City of 2018.

