



ARKANSAS SECRETARY OF STATE

MARK MARTIN

September 7, 2017

The Honorable Tommy Estes
Sharp County and Circuit Clerk
718 Ash Flat Drive
Ash Flat, AR 72513-9103

Re: City of Ash Flat Annexation Ordinance 2009-4-1

Dear Mr. Estes,

This letter acknowledges receipt and filing of the following notice of municipal boundary change by the Office of the Secretary of State:

Filing Type: Annexation pursuant to A.C.A § 14-40-602 (petition of a majority of the land owners)

Effective Date: unknown

County: Sharp

City: Ash Flat

City Ordinance: 2009-4-1

Dated: 04/20/2009

Court Order No: CO-2009-1

Filed: unknown

Hon. Larry Brown, County Judge for Sharp County

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 boundary change by the Arkansas Secretary of State.

If you have any questions or concerns regarding this pending filing, please contact our office at 501-682-3401.

Sincerely,

A handwritten signature in cursive script that reads "Cynthia Fisher".

Cynthia Fisher
Arkansas Secretary of State Legal Division
500 Woodlane St, Room 256
Little Rock, AR 72201
501-682-3401

cc: Arkansas Geographic Information Systems Office (w/ encl)
Arkansas Highway and Transportation Department Mapping Department (w/ encl)
Department of Finance and Administration (w/encl)
Arkansas Public Service Commission (w.encl)
UALR Institution for Economic Advancement (w/encl)
Tom-Tom (w/encl)
Ms. Charlotte Goodwin, Ash Flat Recorder and Treasurer (w/encl)





Arkansas Secretary of State

Mark Martin Arkansas Secretary of State, 500 Woodlane Ave, Little Rock, AR 72201-1094

Municipal Boundary Change Checklist

County: Sharp City/Town: Ash Flat

City Ordinance/Resolution No: 2009-4-1 Date approved: 04/20/2009

County Court Case No: CO-2009-1 Date Order Filed: _____

Type: Annexation by Petition majority of Landowners A.C.A §14-40-602

Date Change Effective: _____ Set by: Municipal Ordinance Emergency Clause Default
(Required by Act 653 of 2017)

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

Initiating party:

All Landowners Majority Landowners Municipal Governing Body State Other _____

Supporting Documentation attached *(check all that apply):*

- File marked copy of City Ordinance/Resolution *(required)*
- File marked copy of County Court Order or certified annexation election results *(required except for island annexation)*
- Copy of Arkansas GIS Office 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: Ms. Charlotte Goodwin Title: Ash Flat Recorder and Treasurer

Street Address: P.O. Box 280

City: Ash Flat St: AR Zip code: 72513

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: _____ Title: Sharp County Clerk

Date: _____

Pursuant to Act 655 of 2017, County Officials must submit a file-marked copy of municipal boundary change documentation 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: *Cynthia Fisher*

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Arkansas
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ORDINANCE NO. 2009- 4-1

AN ORDINANCE AUTHORIZING THE MAYOR OF THE
CITY OF ASH FLAT, ARKANSAS, TO PETITION
THE COUNTY COURT OF SHARP COUNTY,
ARKANSAS, FOR THE ANNEXATION OF
CERTAIN LANDS OWNED BY SAID CITY

Be it ordered and ordained by the City Council of the City of Ash Flat, Arkansas:

WHEREAS, the City of Ash Flat, Arkansas, is the owner of certain real property more particularly described as follows:

Part of the Northwest Quarter (NW¼) of Section 2, Township 18 North, Range 6 West in Sharp County, Arkansas, described as follows: Commence at the Northwest (NW) corner of said Section 2; thence South 21 degrees 13 minutes 16 seconds East 448.61 feet to ½ inch rebar at the Northwest (NW) corner of the City of Ash Flat Ball Park; Thence South 01 degrees 30 minutes 36 seconds west, 516.09 feet with an existing fence to a ½ inch rebar at the Southwest (SW) corner of said Ball Park and the Point of Beginning; thence continue South 01 degrees 30 minutes 36 seconds West, 1007.13 feet; thence South 82 degrees 34 minutes 56 seconds East, 477.95 feet to the center of Hackney Creek; thence along the center of said Creek the following courses: North 29 degrees 35 minutes 46 seconds East, 27.93 feet; North 11 degrees 27 minutes 46 seconds East, 148.92 feet; North 30 degrees 42 minutes 46 seconds East, 89.34 feet; North 39 degrees 04 minutes 46 seconds East, 307.14 feet; North 66 degrees 08 minutes 46 seconds East, 148.49 feet; North 32 degrees 28 minutes 46 seconds East, 89.90 feet; North 01 degrees 03 minutes 46 seconds east, 326.22 feet; thence leaving said creek and running with the South boundary of said ball park North 82 degrees 30 minutes 40 seconds West, 928.10 feet to the Point of Beginning, containing 17.02 acres, more or less. As shown as Tract Two (2), on survey filed in Plat Cabinet "C" at Page 387 C thereof, records of Sharp County, Arkansas.

WHEREAS, the above described real property owned by the City of Ash Flat, Arkansas, is not located within the city limits of the City of Ash Flat, Arkansas, and;

WHEREAS, the above described real property owned by the City of Ash Flat, Arkansas, lies contiguous to and adjoining the City of Ash Flat, Arkansas, and;

WHEREAS, the City of Ash Flat, Arkansas, finds that it is in the best interests and

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welfare of the citizens of Ash Flat, Arkansas, that said lands be annexed to said city so that police, fire and other utilities services can be provided to the area;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASH FLAT, ARKANSAS, TO WIT:

SECTION 1: It is ordered that Danny Traw, the Mayor of Ash Flat, Arkansas, is hereby authorized to petition the County Court of Sharp County, Arkansas, for the annexation of the above described lands into the city limits of the City of Ash Flat, Arkansas, and to execute any and all documents necessary to implement said annexation procedure in the said County Court of Sharp County, Arkansas.

SAID ORDINANCE PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ASH FLAT, ARKANSAS, this 20th day of April, 2009.

CITY OF ASH FLAT, ARKANSAS

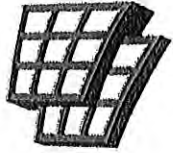
BY:

Danny Traw
Honorable DANNY TRAW, Mayor.

ATTEST:

Charlotte Goodwin
Charlotte Goodwin, Recorder/Treasurer





**ARKANSAS
GIS OFFICE**

July 26, 2017

Mrs. Charlotte Goodwin
Recorder/Treasurer
City of Ash Flat
PO Box 260
Ash Flat, AR 72513

RE: City of Ash Flat Annexation Coordination Requirement

Mrs. Goodwin,

Thank you for coordinating with our office as you seek to annex property into the City of Ash Flat, AR case number CO-2009-1. 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
/jjw

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

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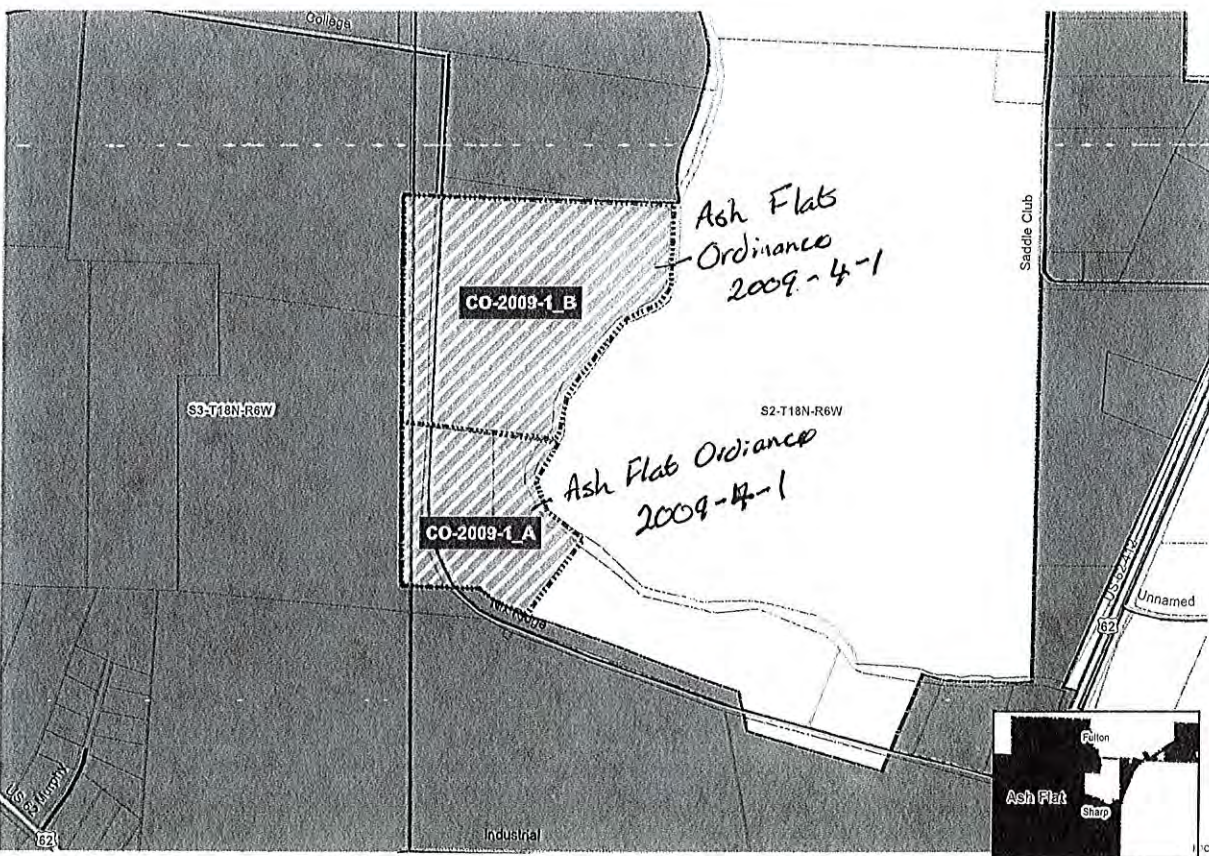
Proposed Annex: City of Ash Flat
July 2017

City: Ash Flat
Mayor: Larry Fowler

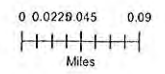
Arkansas Code 14-40-101.

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
- Sections
- Parcels
- Highway
- Minor Road
- Existing City
- Neighboring City
- County Boundary



ARKANSAS GIS OFFICE

\\City_Annexations\Cities\Ash_Flat\20170714_AshFlatReconciliation

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Secretary of State

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APR 21 2009
BY *[Signature]*
TOMMY ESTES, CLERK
D.C.

IN THE COUNTY COURT OF SHARP COUNTY, ARKANSAS

IN THE MATTER OF ANNEXING TO THE
CITY OF ASH FLAT, ARKANSAS, CERTAIN
TERRITORY CONTIGUOUS TO THE SAID CITY,
AS MORE PARTICULARLY DESCRIBED HEREINAFTER...

NO. CO-2009- 1

PETITION FOR ANNEXATION

COMES NOW the undersigned Petitioners, Finis T. Bunch and Sherry M. Bunch, and The City of Ash Flat, Arkansas, by and through its duly elected Mayor, Danny Traw, and state as follows:

(1) The Petitioners in this cause of action are Finis T. Bunch and Sherry M. Bunch, and The City of Ash Flat, Arkansas. The Petitioners are the majority landowners of two tracts of land contiguous to and adjoining the City of Ash Flat, Arkansas.

(2) The Petitioners, Finis T. Bunch and Sherry M. Bunch, are the owners of the following described real property located in Sharp County, Arkansas, and lying contiguous to and adjoining the City of Ash Flat, Arkansas, to wit:

Part of the Northwest Quarter (NW¼), and Part of the Southwest Quarter (SW¼) of Section 2, Township 18 North, Range 6 West in Sharp County, Arkansas, more particularly described as follows: Commence at the Northwest (NW) corner of said Section 2; Thence South 21 degrees 13 minutes 16 seconds East 448.41 feet to a ½ inch rebar at the Northwest (NW) corner of the City of Ash Flat Ball Park; Thence South 01 degrees 30 minutes 36 seconds West 1523.22 feet to the Point of Beginning; Thence South 82 degrees 34 minutes 56 seconds East 477.95 feet to the centerline of Hackney Creek; Thence along the center of said Creek the following: South 29 degrees 35 minutes 46 seconds West 179.49 feet; South 20 degrees 21 minutes 14 seconds East 132.14 feet and South 52 degrees 45 minutes 14 seconds East 186.30 feet; Thence South 36 degrees 56 minutes 29 seconds West 420.49 feet; Thence 656.07 feet along a curve to the Right along the East Right of Way of a new road, said curve having a radius of 548.90 feet and a central angle of 68 degrees 28 minutes 56 seconds: Thence North 01 degrees 30 minutes 36 seconds East along said Right of Way 270.97 feet to the Point of Beginning, containing 6.87 acres, more or less, as shown on

plat of record in Plat Book P 04 at 80, records of Sharp County, Arkansas.

A true and accurate map, or registered surveys, of the lands which are petitioned to be annexed are attached hereto as Exhibit A and incorporated by reference.

(3) The Petitioner, The City of Ash Flat, Arkansas, is the owner of the following described real property located in Sharp County, Arkansas, and lying contiguous to and adjoining the City of Ash Flat, Arkansas, to wit:

Part of the Northwest Quarter (NW¼) of Section 2, Township 18 North, Range 6 West in Sharp County, Arkansas, described as follows: Commence at the Northwest (NW) corner of said Section 2; thence South 21 degrees 13 minutes 16 seconds East 448.61 feet to ½ inch rebar at the Northwest (NW) corner of the City of Ash Flat Ball Park; Thence South 01 degrees 30 minutes 36 seconds West, 516.09 feet with an existing fence to a ½ inch rebar at the Southwest (SW) corner of said Ball Park and the Point of Beginning; thence continue South 01 degrees 30 minutes 36 seconds West, 1007.13 feet; thence South 82 degrees 34 minutes 56 seconds East, 477.95 feet to the center of Hackney Creek; thence along the center of said Creek the following courses: North 29 degrees 35 minutes 46 seconds East, 27.93 feet; North 11 degrees 27 minutes 46 seconds East, 148.92 feet; North 30 degrees 42 minutes 46 seconds East, 89.34 feet; North 39 degrees 04 minutes 46 seconds East, 307.14 feet; North 66 degrees 08 minutes 46 seconds East, 148.49 feet; North 32 degrees 28 minutes 46 seconds East, 89.90 feet; North 01 degrees 03 minutes 46 seconds East, 326.22 feet; thence leaving said creek and running with the South boundary of said ball park North 82 degrees 30 minutes 40 seconds West, 928.10 feet to the Point of Beginning, containing 17.02 acres, more or less. As shown as Tract Two (2), on survey filed in Plat Cabinet "C" at Page 387 C thereof, records of Sharp County, Arkansas.

A true and accurate map, or registered surveys, of the lands which are petitioned to be annexed are attached hereto as Exhibit B and incorporated by reference.

(4) The Petitioners hereby petition the County Court of Sharp County, Arkansas, to annex the above described lands to the City of Ash Flat, Arkansas.

(5) The Petitioners state that this petition is signed by a majority of the real estate owners who own more than one-half of the acreage in said area to be annexed.


(6) The Petitioners designated Larry Dean Kissee, City Attorney for the City of Ash Flat, Arkansas, whose address is P.O. Box 323, Ash Flat, AR 72153, as their agent to act on their behalf in all proceedings in this matter.

WHEREFORE, premises considered, the undersigned Petitioners pray that their petition be granted and that the above described lands be annexed into the City of Ash Flat, Arkansas.

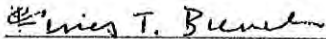
Respectfully submitted,

Finis T. Bunch and Sherry M. Bunch, and
The City of Ash Flat, Arkansas, by and
through its duly elected Mayor, the Honorable
Danny Traw, Petitioners

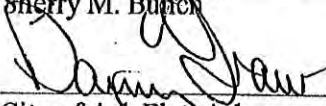
By:

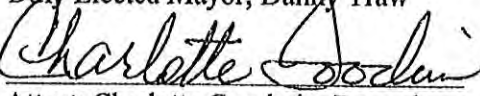

LARRY DEAN KISSEE
Ash Flat City Attorney
P.O. Box 323
Ash Flat, AR 72513
Telephone: (870) 994-2456

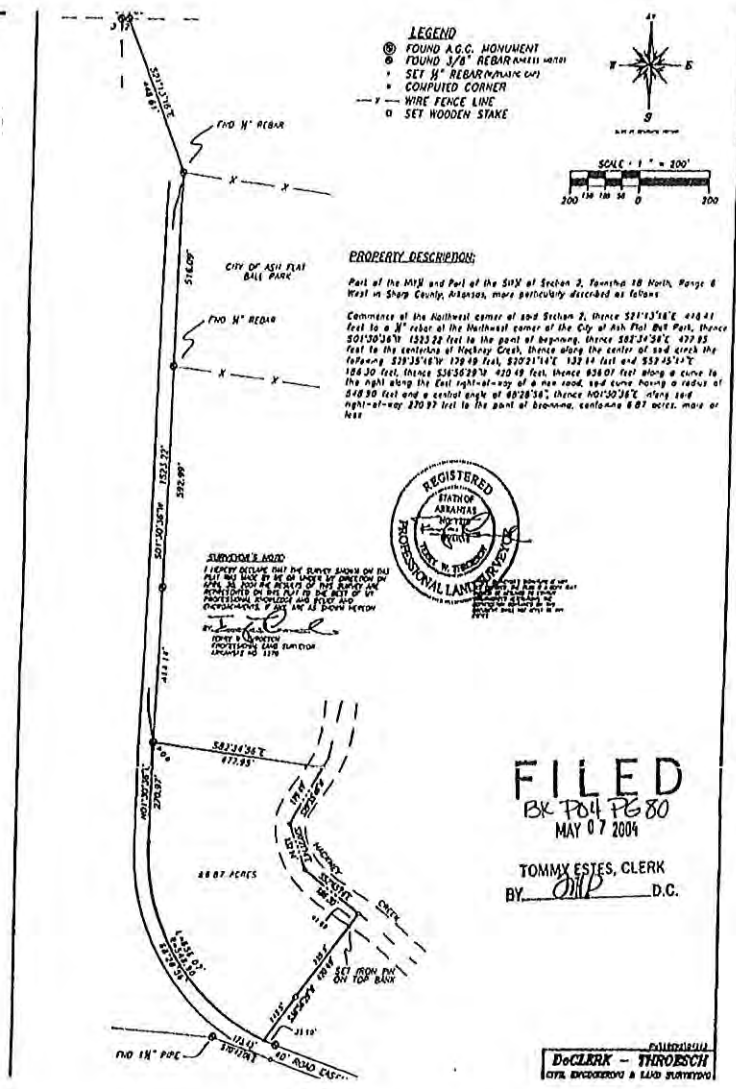
PETITIONERS:


Finis T. Bunch


Sherry M. Bunch


City of Ash Flat, Arkansas, By its
Duly Elected Mayor, Danny Traw


Attest: Charlotte Goodwin, Recorder



"EXHIBIT A"

