



ARKANSAS SECRETARY OF STATE

MARK MARTIN

September 7, 2017

The Honorable Vickie Bishop
Fulton County Clerk
P.O. Box 219
Salem, AR 72576

Re: City of Ash Flat Annexation Ordinance 2005-8-1

Dear Ms. Bishop,

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: Fulton

City: Ash Flat

City Ordinance: 2005-8-1

Dated: 08/22/2005

Court Order No: CO-2005-2

Filed: 08/19/2005

Hon. Charles Willett, County Judge for Fulton 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: Fulton City/Town: Ash Flat

City Ordinance/Resolution No: 2005-8-1 Date approved: 08/22/2005

County Court Case No: CO-2005-2 Date Order Filed: 08/19/2005

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: Fulton 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 Foster*

FILED
SEP 7 2017
Arkansas
Secretary of State

ORDINANCE NO. 2005-8-1**AN ORDINANCE TO ANNEX CERTAIN LANDS TO
THE CITY OF ASH FLAT, ARKANSAS, AND OTHER MATTERS.**

WHEREAS, there has been presented to the City Council of the City of Ash Flat, Arkansas, an *Order of Annexation* filed August 19, 2005, duly executed by the Honorable Charles Willett, County Judge for Fulton County, Arkansas, authorizing the annexation of certain lands to the City of Ash Flat, Arkansas, more particularly described as follows:

A part of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 33, Township 19 North, Range 06 West, Fulton County, Arkansas, lying West of the westerly right of way of U.S. Highway #62-412 and north of a county road (Grace Road) and being more particularly described as follows: Beginning at an existing iron pin which is described as being N89 degrees 40' W 673.0 feet from the Northeast corner of Section 4, Township 18 North of Range 6 west; thence N 83 degrees 05'30" W 291.2 feet to the point of beginning proper and set an iron pin; thence N 4 degrees 22'40" E 243.7 feet to a set iron pin; thence N 84 degrees 09'50" E 499.1 feet, along a line marked with a set iron pin at 466.6 feet, to the approximate right of way line of said Highway; thence S 39 degrees 45'30" E 410.0 feet along actual right of way line of said Highway to a set iron pin; thence N 88 degrees 25'10" W 777.7 feet to the point of beginning proper, containing 4.12 acres more or less and being subject to easements for power transmission lines across a portion of the west line and an easement along the south line for said county road. Bearings are based on a solar observation on 4-02-04 in the vicinity of the point of beginning proper.

and,

WHEREAS, it appearing that the owner of said real property as listed therein has signed a petition asking that said lands be annexed to the City of Ash Flat, Arkansas, and,

WHEREAS, a plat as required by law was filed in the County Court of Fulton County, Arkansas, and that the Mayor and City Council has approved said annexation, and,

WHEREAS, the City Council of the City of Ash Flat, Arkansas, hereby finds that said *Order of Annexation* was done according to law and that it is in the best interests of the City of Ash Flat, Arkansas, that said area as above described be annexed to the City of Ash Flat,

Arkansas.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASH FLAT, ARKANSAS, AS FOLLOWS:

That the lands described in the *Order of Annexation* dated August 19, 2005, and filed for record in the County Court of Fulton County, Arkansas, be, and the same hereby, is approved and ratified, and that the Mayor and City Council accepts such annexed lands and that a copy of this Ordinance be filed with the Clerk of the County Court for Fulton County, Arkansas, as provided by law.

SAID ORDINANCE PASSED AND APPROVED BY THE CITY COUNCIL OF ASH FLAT, ARKANSAS, IN REGULAR SESSION THE 22ND DAY OF AUGUST, 2005.

DATED: 8-22-05

APPROVED: Bryen Nix Hall
Bryen Nix Hall, Mayor

ATTEST: Charlotte Goodwin
Charlotte Goodwin, Recorder/Treasurer



FILED
Office of the
Circuit Clerk

IN THE COUNTY COURT OF FULTON COUNTY, ARKANSAS AUG 19 2005

**IN THE MATTER OF ANNEXING TO THE
CITY OF ASH FLAT, ARKANSAS, CERTAIN
TERRITORY CONTIGUOUS TO THE SAID CITY...**

**Fulton County
Arkansas**

NO. CO-2005-2

ORDER OF ANNEXATION

On this 19th day of August, 2005, there is presented to the Court the petition of Margaret Brennan for the annexation of certain lands owned by her into the City of Ash Flat, Arkansas. The territory to be annexed to the city of Ash Flat is shown in the plat attached to said petition.

The Court is well and sufficiently advised as to the premises, and upon consideration of the pleadings, the notice given of said purposed annexation as required by law, and from other matters, the Court finds as follows:

(1) That the allegations in said petition are true and correct and that the requirements of Ark. Code Ann. §14-40-602 have been complied with.

(2) That the limits of the territory to be annexed are accurately described in the attached plat.

(3) That notice of the proposed annexation and the date of this hearing was published according to law and that no one appeared to object to said petition being granted.

IT IS, THEREFORE, CONSIDERED, ORDERED AND ADJUDGED, that the following described lands should be annexed to the city of Ash Flat, Arkansas and that a resolution of the town council of said town should be passed accepting the annexed territory, to wit:

A part of the SE¼ SE¼ of Section 33, Township 19 North, Range 06 West, Fulton County, Arkansas, lying West of the westerly right of way of U.S. Highway #62-412 and north of a county road (Grace Road) and being

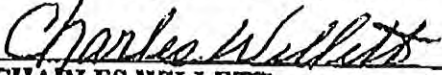
F I L E D

SEP 7 2017

Arkansas
Secretary of State

more particularly described as follows: Beginning at an existing iron pin which is described as being N89 degrees 40' W 673.0 feet from the Northeast corner of Section 4, Township 18 North of Range 6 west; thence N 83 degrees 05'30" W 291.2 feet to the point of beginning proper and set an iron pin; thence N 4 degrees 22'40" E 243.7 feet to a set iron pin; thence N 84 degrees 09'50" E 499.1 feet, along a line marked with a set iron pin at 466.6 feet, to the approximate right of way line of said Highway; thence S 39 degrees 45'30" E 410.0 feet along actual right of way line of said Highway to a set iron pin; thence N 88 degrees 25'10" W 777.7 feet to the point of beginning proper, containing 4.12 acres more or less and being subject to easements for power transmission lines across a portion of the west line and an easement along the south line for said county road. Bearings are based on a solar observation on 4-02-04 in the vicinity of the point of beginning proper.

IT IS SO ORDERED AND ADJUDGED this 19 day of August, 2005.


CHARLES WILLETT,
Fulton County Judge



ARKANSAS GIS OFFICE

July 26, 2017

Mrs. Charlotte Goodwin
Recorder/Treasurer
City of Ash Flat
PO Box 280
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-2005-2. 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

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

F I L E D

SEP 7 2017

Arkansas
Secretary of State

H:\City_Annexations\Cities\Ash_Flat\20170714_AshFlatReconciliation\Doc\20170726_AshFlat_Annexation_Coordination_Letter-CO2005-2.docx

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

PHONE (501) 682-2767 · www.gis.arkansas.gov · FAX (501) 682-6077

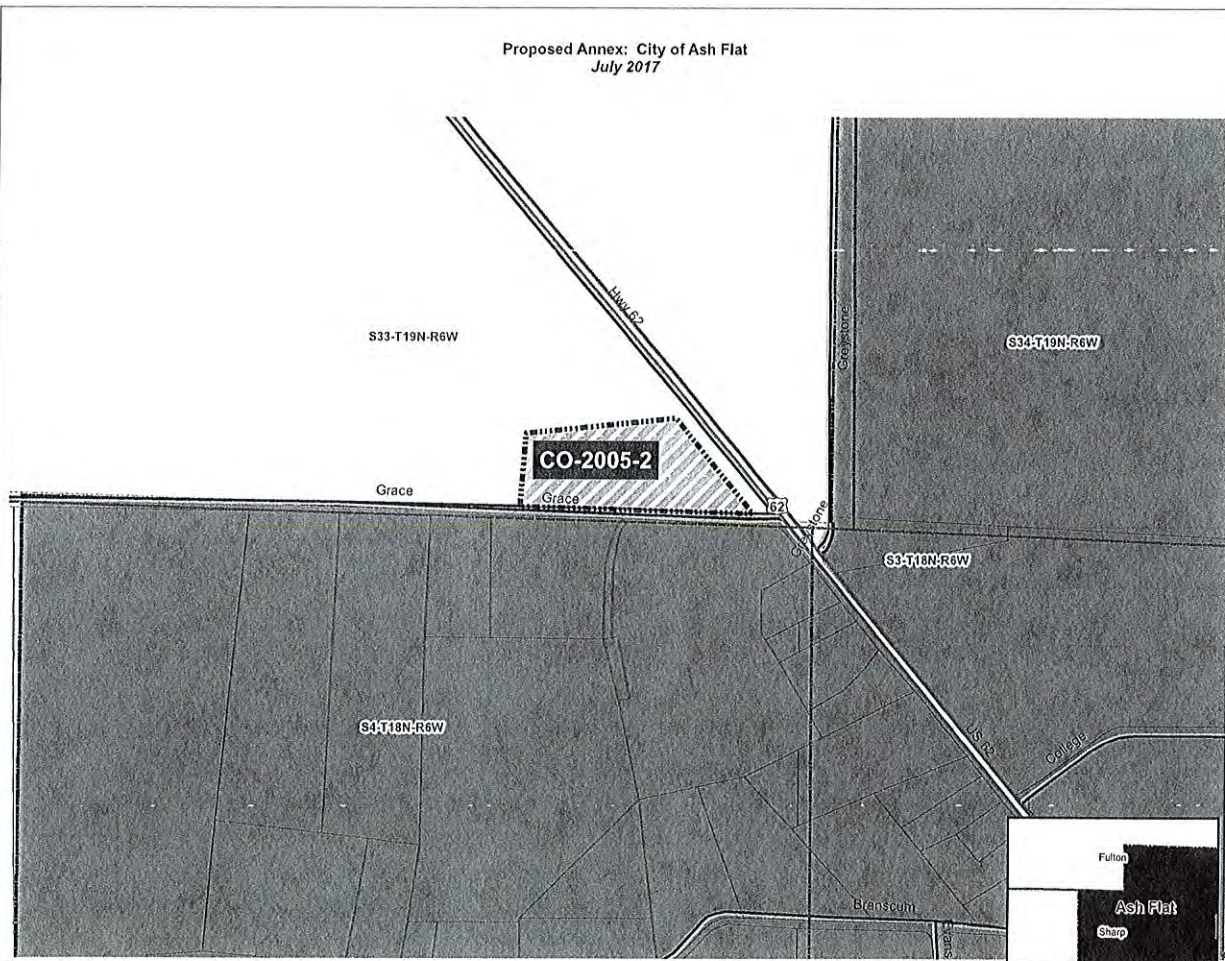
Proposed Annex: City of Ash Flat
July 2017

City: Ash Flat
Mayor: Larry Fowler

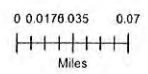
Arkansas Code 14-40-101.

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

FILED
SEP 7 2017
Arkansas
Secretary of State

IN THE COUNTY COURT OF FULTON COUNTY, ARKANSAS

IN THE MATTER OF ANNEXING TO THE
CITY OF ASH FLAT, ARKANSAS, CERTAIN
TERRITORY CONTIGUOUS TO THE SAID CITY...

NO. CO-2005-2

NOTICE OF ANNEXATION

Notice is hereby given that on the 3rd day of May, 2005, a Petition for Annexation, with a plat attached, was filed in the County Court of Fulton County by Margaret Brennan who is the owner of the following described property located in Fulton County, Arkansas, to-wit:

A part of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 33, Township 19 North, Range 06 West, Fulton County, Arkansas, lying West of the westerly right of way of U.S. Highway #62-412 and north of a county road (Grace Road) and being more particularly described as follows: Beginning at an existing iron pin which is described as being N89 degrees 40 ' W 673.0 feet from the Northeast corner of Section 4, Township 18 North of Range 6 west; thence N 83 degrees 05'30" W 291.2 feet to the point of beginning proper and set an iron pin; thence N 4 degrees 22'40" E 243.7 feet to a set iron pin; thence N 84 degrees 09'50" E 499.1 feet, along a line marked with a set iron pin at 466.6 feet, to the approximate right of way line of said Highway; thence S 39 degrees 45'30" E 410.0 feet along actual right of way line of said Highway to a set iron pin; thence N 88 degrees 25'10" W 777.7 feet to the point of beginning proper, containing 4.12 acres more or less and being subject to easements for power transmission lines across a portion of the west line and an easement along the south line for said county road. Bearings are based on a solar observation on 4-02-04 in the vicinity of the point of beginning proper.

There will be a hearing on said Petition on the 19th day of August, 2005, at 10:00 A.M. in the court room of the Fulton County Courthouse. Anyone having an objection to said annexation is hereby afforded the opportunity to appear and be heard concerning said petition. If no objections are raised to said annexation and if it appears that all papers have been filed in the County Court in compliance with Arkansas Code Ann. 14-40-601 et seq., then an Order of Annexation will be executed by this Court.

F I L E D

SEP 7 2017

Arkansas
Secretary of State

Vickie Bishop, Clerk

By:

Deputy Clerk

(SEAL)

IN THE COUNTY COURT OF FULTON COUNTY, ARKANSAS
MAY 3 2005

IN THE MATTER OF ANNEXING TO THE
CITY OF ASH FLAT, ARKANSAS, CERTAIN
TERRITORY CONTIGUOUS TO THE SAID CITY...

FULTON COUNTY
ARKANSAS

NO. CO-2005- 2

PETITION FOR ANNEXATION

COMES NOW the undersigned Petitioner, Margaret Brennan, and states as follows:

(1) The Petitioner is a property owner of the following described real property which lies contiguous to the city limits of Ash Flat, Arkansas, to wit:

A part of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 33, Township 19 North, Range 06 West, Fulton County, Arkansas, lying West of the westerly right of way of U.S. Highway #62-412 and north of a county road (Grace Road) and being more particularly described as follows: Beginning at an existing iron pin which is described as being N89 degrees 40 ' W 673.0 feet from the Northeast corner of Section 4, Township 18 North of Range 6 west; thence N 83 degrees 05'30" W 291.2 feet to the point of beginning proper and set an iron pin; thence N 4 degrees 22'40" E 243.7 feet to a set iron pin; thence N 84 degrees 09'50" E 499.1 feet, along a line marked with a set iron pin at 466.6 feet, to the approximate right of way line of said Highway; thence S 39 degrees 45'30" E 410.0 feet along actual right of way line of said Highway to a set iron pin; thence N 88 degrees 25'10" W 777.7 feet to the point of beginning proper, containing 4.12 acres more or less and being subject to easements for power transmission lines across a portion of the west line and an easement along the south line for said county road. Bearings are based on a solar observation on 4-02-04 in the vicinity of the point of beginning proper.

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.

(2) Pursuant to Ark. Code Ann. §14-40-601 et seq, the Petitioner hereby petitions the County Court of Fulton County, Arkansas, to annex the above described lands to the City of Ash Flat, Arkansas.

(3) The Petitioner states that the petition is signed by a majority of the real estate owners who own more than one-half of the acreage in said area.

(4) The Petitioner hereby appoints Larry Dean Kisse, Attorney at Law, P.O. Box 323, Ash

F I L E D

SEP 7 2017

Arkansas
Secretary of State

Flat, AR 72513, to act on their behalf in presenting this matter to the court.

WHEREFORE, premises considered, the undersigned Petitioner, Margaret Brennan, prays that her petition be granted and that the above described lands be annexed into the City of Ash Flat, Arkansas.

Respectfully submitted,

Margaret Brennan
Margaret Brennan

VERIFICATION

STATE OF ARKANSAS

COUNTY OF Sharp

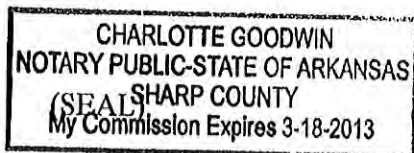
The undersigned states upon oath that the foregoing pleading is true and correct to the best of her knowledge and belief.

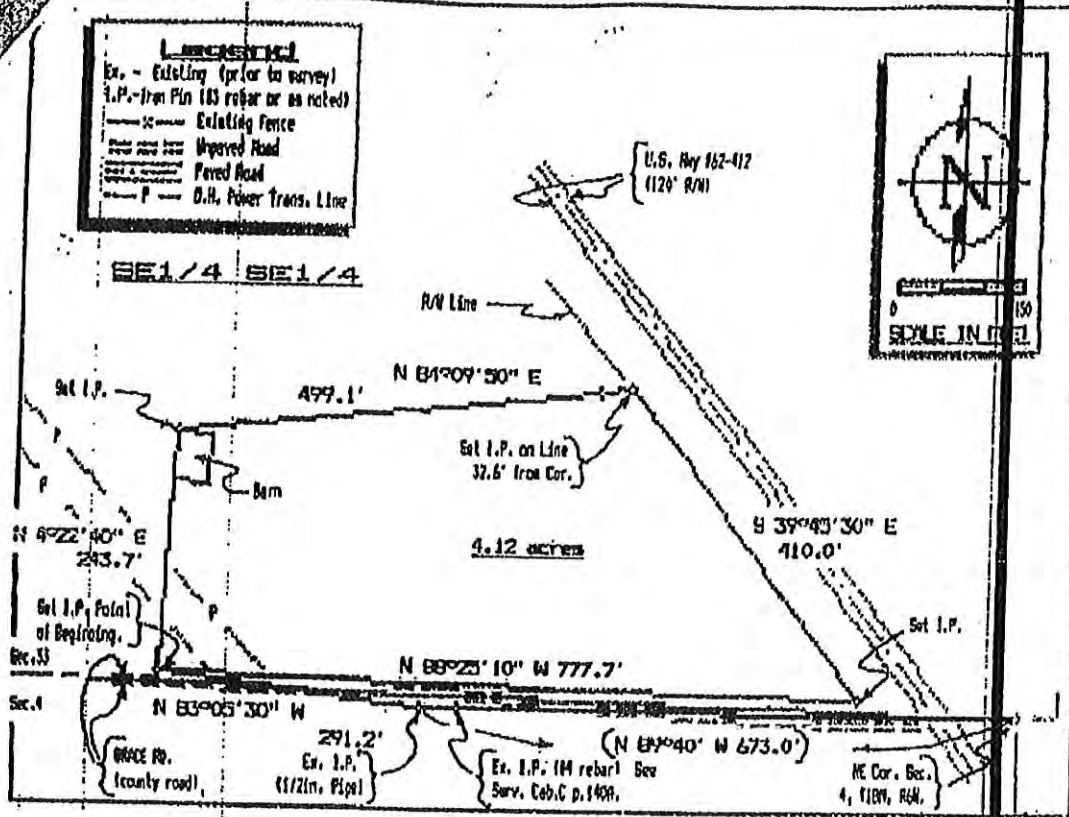
Margaret Brennan
Margaret Brennan

SUBSCRIBED AND SWORN TO, before me, a Notary Public, this 27 day of April 2005.

Charlotte Goodwin
Notary Public

My Commission Expires: 3-18-2013





DESCRIPTION

A part of the SE1/4 SE1/4 of Section 33, Township 19 North, Range 06 West, Fulton County, Arkansas, lying west of the westerly right of way of U.S. Highway #62-412 and north of a county road (Grace Road) and being more particularly described as follows: Beginning at an existing iron pin which is described as being N 89°40' W 673.0 feet from the northeast corner of Section 4, Township 18 North, said Range 6 West; thence N 83°05'30" W 291.2 feet to the point of beginning proper and a set iron pin; thence N 4°22'40" E 243.7 feet to a set iron pin; thence N 84°09'30" E 499.1 feet, along a line marked with a set iron pin at 466.6 feet, to the approximate right of way line of said Highway; thence S 39°45'30" E 110.0 feet along the actual right of way line of said Highway to a set iron pin; thence N 88°25'10" W 777.7 feet to the point of beginning proper, containing 4.12 acres more or less and being subject to easements for power transmission lines across a portion of the west line and an easement along the south line for said county road. Bearings are based on a solar observation on 4-02-04 in the vicinity of the point of beginning proper.

CERTIFICATION

I hereby certify that the plat shown and described hereon is the result of a survey completed in July 2004; that it is a true and accurate survey; there were no encroachments found other than those shown on the plat; the tract is not in any flood plain and the monuments were found or set as noted on the plat.



PLAT OF SURVEY

prepared for
 Tom Garner et al
 by
 SCOTT-JOHNSON SURVEYING CO.
 P.O. Box 125
 Salem, Arkansas
 Date: 7-22-04

FULTON COUNTY/CIRCUIT CLERK
VICKIE BISHOP
P. O. BOX 219
SALEM, AR 72576

Cash Check

1233

Date 5-3 2005

RECEIVED FROM City of Ash Flat

THE SUM OF 30.00

For Deeds Mortgages Financial Statements Release Marriage

Other (specify) CO-2005-2

By Vickie Bishop
County Clerk - Circuit Clerk