



JOHN THURSTON

ARKANSAS SECRETARY OF STATE

June 7, 2021

The Hon. Mona Vance
Clark County Clerk
401 Clay Street
Arkadelphia, AR 72923

Re: City of Arkadelphia Annexation Resolution O-08-07

Dear Ms. Vance,

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. § 14-40-501 (Island/doughnut hole)

Effective Date: 11/2/2020

County: Clark

City Resolution: O-08-07

County Court Order: CCA 2021-001

City: Arkadelphia

Dated: 10/16/2008

Date Filed: 4/19/2021

A file marked copy of the resolution 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 cursive script, 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. Scott Byrd, Mayor of Arkadelphia (w/encl)
The Hon. Gary Brinkley, Arkadelphia City Manager (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: CLARK City/Town: ARKADELPHIA

City Ordinance/Resolution No: O-08-07 Date approved: 10/16/2008

County Court Case No: CCA-2021-001 Date Order Filed: 04/19/2021

Type: Annexation of surrounded unincorporated area (island/doughnut holes) by ordinance A

Date Change Effective: ASAP 10/16/08 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: ARKADELPHIA WARD 5
(See A.C.A § 14-40-203)

Initiating party:

All Landowners Majority Landowners Municipal Governing Body State Other _____

Supporting Documentation attached (check all that apply):

- File marked copy of City Ordinance/Resolution **(required)**
- File marked copy of County Court Order or certified annexation election results **(required except for A.C.A. §14-40-501)**
- Copy of Arkansas GIS approved printed map and certification letter **(required)**
- Proof of Publication for all Legal Notices (include Hearing, Election, and City Ordinance/Resolution notices)
- File marked copy of Petition Part (if applicable)
- File marked copy of Complaint and final Circuit Court Order (Court Challenge only)

Municipal Contact:

Name: GARY BRINKLEY Title: CITY MANAGER

Street Address: 700 CLAY STREET

City: ARKADELPHIA St: AR Zip code: 71923

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: Mona Vance Title: County clerk

Date: 4/21/21

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

JUN 07 2021

Received by: [Signature]

Arkansas Secretary of State

AN ORDINANCE ANNEXING CERTAIN LANDS THAT ARE COMPLETELY SURROUNDED BY THE INCORPORATED LIMITS OF THE CITY OF ARKADELPHIA, ARKANSAS; AND FOR OTHER PURPOSES.

WHEREAS, ACA 14-40-501 thru 14-40-503 provides that unincorporated islands of land that have been completely surrounded by the incorporated limits of a municipality may be annexed by that municipality; and

WHEREAS, the City of Arkadelphia desires to annex certain lands more completely described below; and

WHEREAS, necessary urban services, such as fire and police protection, will be immediately provided; water and sewer are available within a reasonable distance; and

WHEREAS, the area to be annexed complies with the standards for lands qualifying for annexation which are set forth in ACA 14-40-301 thru 14-40-304 and ACA 14-40-501 thru 14-40-503; and

WHEREAS, a public hearing was held on September 18, 2008 regarding this proposed annexation; and

WHEREAS, on September 2, 2008, a legal notice was published setting out the legal description of the territory proposed to be annexed, and all property owners within the area were notified by certified mail of their right to appear at the public hearing.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY BOARD OF THE CITY OF ARKADELPHIA, ARKANSAS:

SECTION 1. That the following described unincorporated area, which is completely surrounded by the city limits of the City of Arkadelphia, is hereby annexed to the City of Arkadelphia.

A PARCEL OF LAND BEING LOCATED IN THE SE/4 NE/4 OF SECTION 23, T7S, R20W, CLARK COUNTY, ARKANSAS, AND BEING DESCRIBED AS FOLLOWS: BEGIN AT THE SOUTHEAST CORNER OF SAID SE/4 NE/4, A FOUND 2" ALUMINUM CAP THENCE NORTH 87° 57' 29" WEST, A DISTANCE OF 575.50 FEET; THENCE NORTH 02° 30' 47" EAST, A DISTANCE OF 96.40 FEET TO THE POINT OF BEGINNING; THENCE NORTH 18° 32' 47" EAST, A DISTANCE OF 207.00 FEET; THENCE NORTH 73° 17' 13" WEST, A DISTANCE OF 190.00 FEET; THENCE SOUTH 18° 32' 55" WEST; A DISTANCE OF 253.70 FEET; THENCE SOUTH 86° 59' 05" EAST, A DISTANCE OF 197.11 FEET TO THE POINT OF BEGINNING. CONTAINING 1.00 ACRES, MORE OR LESS.

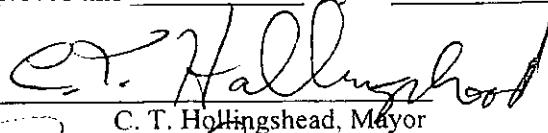
SECTION 2. That the above-described territory shall be annexed to and made a part of Ward 5 of the City of Arkadelphia, and the same shall henceforth be a part of said ward as fully as existing parts of said ward.

SECTION 3. The above-described territory should be and is hereby zoned Residential Use District, R-1A and the zoning map of the City of Arkadelphia, Arkansas is hereby amended to show said classification.

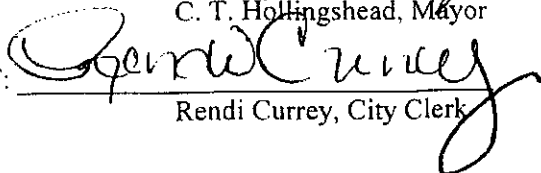
SECTION 4. Necessary urban services, such as police and fire protection will be immediately provided. Water and sewer are available within a reasonable distance.

Passed and approved this 16th day of October, 2008

APPROVED:


C. T. Hollingshead, Mayor

ATTEST:


Rendi Currey, City Clerk

AN ORDINANCE ANNEXING CERTAIN LANDS THAT ARE COMPLETELY SURROUNDED BY THE INCORPORATED LIMITS OF THE CITY OF ARKADELPHIA, ARKANSAS; AND FOR OTHER PURPOSES.

WHEREAS, ACA 14-40-501 thru 14-40-503 provides that unincorporated islands of land that have been completely surrounded by the incorporated limits of a municipality may be annexed by that municipality; and

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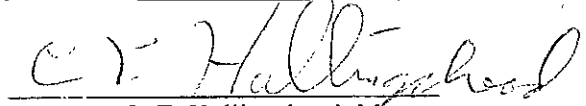
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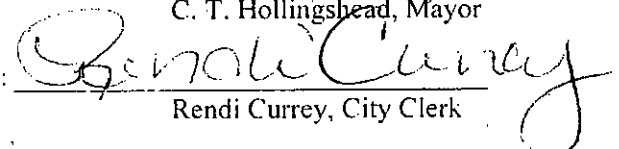
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Passed and approved this 16th day of October, 2008

APPROVED:


C. T. Hollingshead, Mayor

ATTEST:


Rendi Currey, City Clerk

ORDINANCE NO. 0-08-07

AN ORDINANCE ANNEXING CERTAIN LANDS THAT ARE COMPLETELY SURROUNDED BY THE INCORPORATED LIMITS OF THE CITY OF ARKADELPHIA, ARKANSAS: AND FOR OTHER PURPOSES.

WHEREAS, ACA 14-40-501 thru 14-40-503 provides that unincorporated islands of land that have been completely surrounded by the incorporated limits of a municipality may be annexed by that municipality; and

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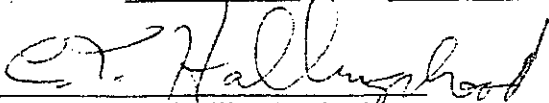
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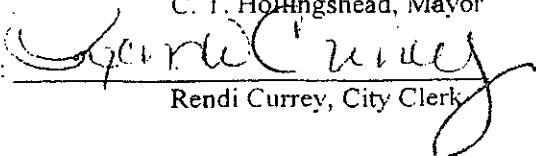
SECTION 4. Necessary urban services, such as police and fire protection will be immediately provided. Water and sewer are available within a reasonable distance.

Passed and approved this 16th day of October, 2008

APPROVED:


C. T. Hollingshead, Mayor

ATTEST:


Rendi Currey, City Clerk

Filed on the 19 day of April, 2021
Mona Vance

County Clerk, Clark County
[Signature]

IN THE COUNTY COURT OF CLARK COUNTY, ARKANSAS

**IN THE MATTER OF THE OCTOBER 16, 2008,
ORDINANCE 0-08-07 FOR ANNEXATION TO
THE CITY OF ARKADELPHIA, ARKANSAS
CERTAIN TERRITORY SURROUNDED BY THE
INCORPORATED AREAS OF THE CITY OF
ARKADELPHIA, CLARK COUNTY, ARKANSAS IN
SE/4 NE/4 OF SECTION 23, TOWNSHIP 7 SOUTH,
RANGE 20 WEST CONTAINING ONE ACRE
MORE OR LESS**

CASE NO. CCA 2021-001

ORDER

On the 14 day of April, 2021, the Clark County Court considered Ordinance 0-08-07 which addressed an enclave created by previous annexations of the City of Arkadelphia, Arkansas and which ordinance meets the threshold for annexation under Arkansas Code Annotated §14-40-501 thru 14-40-503 for a municipality of the First Class to annex said property and thus remove the enclave for the lands described in Ordinance 0-08-07 of the City of Arkadelphia, Arkansas dated October 16, 2008, and which is made a part of this Order as if set out herein word for word.

The Court has jurisdiction over this matter and finds that the Ordinance has been filed with the County Assessor and the County Clerk and that the County Assessor and the County Clerk have verified that the Ordinance meets the requirements of Arkansas Code Annotated § 14-40-501 thru 14-40-503.

The County Court has reviewed the Ordinance and records and has determined that they are complete and accurate, that no enclaves will be created by the proposed annexation, and the annexation otherwise meets requirements of Arkansas Code Annotated § 14-40-501 through 14-40-503.

THEREFORE, THE COUNTY COURT HEREBY ORDERS that the said Ordinance, 0-08-07 meets the requirements of Arkansas Code Annotated § 14-40-501 thru 14-40-503 and the Ordinance, records and this Order are hereby forwarded to the City of Arkadelphia, Arkansas for any further appropriate action.

IT IS SO ORDERED.

Izzy Tucker
COUNTY JUDGE

Attested to:

Mona Vance

COUNTY CLERK

4/19/21

DATE

VERIFICATION

I, Mona Vance, County Clerk of the County of Clark, Arkansas, with respect to the annexation ordinance filed by the City of Arkadelphia on

October 16, 2008, do hereby verify:
Date

1. That the property or properties are as described in said ordinance were completely surrounded by property located within the city limits of Arkadelphia, AR and therefore constituted an enclave which could be annexed to the city of Arkadelphia, AR by an ordinance of the city. ASA 19-337 and ACA 14-40-501.
2. That enclave(s) will not be created if the property is annexed by the City of Arkadelphia, Arkansas.
3. That the ordinance does contain a schedule of services.

COMMENTS: _____

SIGNED: Mona Vance 4/19/21
Mona Vance, County Clerk Date

SIGNED: Joshe Horton 4/21/2021
Clark County Assessor Date

Note: Both the County Assessor and the County Clerk must verify the listed items. The "comments" section may be used to provide additional information if desired. This form is to be presented to the county judge within fifteen days of filing by the petitioners with the County Assessor and County Clerk.

LAW OFFICES OF
McMILLAN, McCORKLE & CURRY, LLP

929 MAIN STREET
ARKADELPHIA, AR 71923
URL: www.mmc-law.com

H.W. McMILLAN (1909-1985)
OTIS H. TURNER (1927-2000)
ED W. McCORKLE
TONEY D. McMILLAN (1942-2009)
F. THOMAS CURRY
J. PHILIP McCORKLE

PLEASE REPLY TO:
P.O. Box 607
ARKADELPHIA, AR 71923
Voice: (870) 246-2468
Facsimile: (870) 246-3851
Writer's e-mail:
McCorkle@mmc-law.com

April 13, 2021

Ms. Jessica Davis
City Clerk City of Arkadelphia
700 Clay Street
Arkadelphia, AR 71923

RE: Ordinance No. 0-08-07
October 16, 2008

Dear Jessica:

I have enclosed the following:

1. A revised Order that I think needs to be submitted to the County Judge. Prior to that however I would deliver a copy of the adopted Ordinance and a copy of this revised Order to the Assessor and to the County Clerk for their review and approval.
2. A copy of the form of the ordinance for enclaves printed in our October, 2017, Municipal League book concerning annexations and I think we met and meet those requirements.
3. The current annexation statute in A.C.A. 14-40-501 which shows that this annexation of an enclave began with an Act of 1979.
4. A copy of the old statute that was in effect in 1979 and probably effective in 2008 which is A.S.A. 19-337. It also references the 1979 Act so therefore the statute certainly was in effect at the time the 2008 city ordinance was passed.

If you have any questions please do not hesitate to contact me.

Thank you.

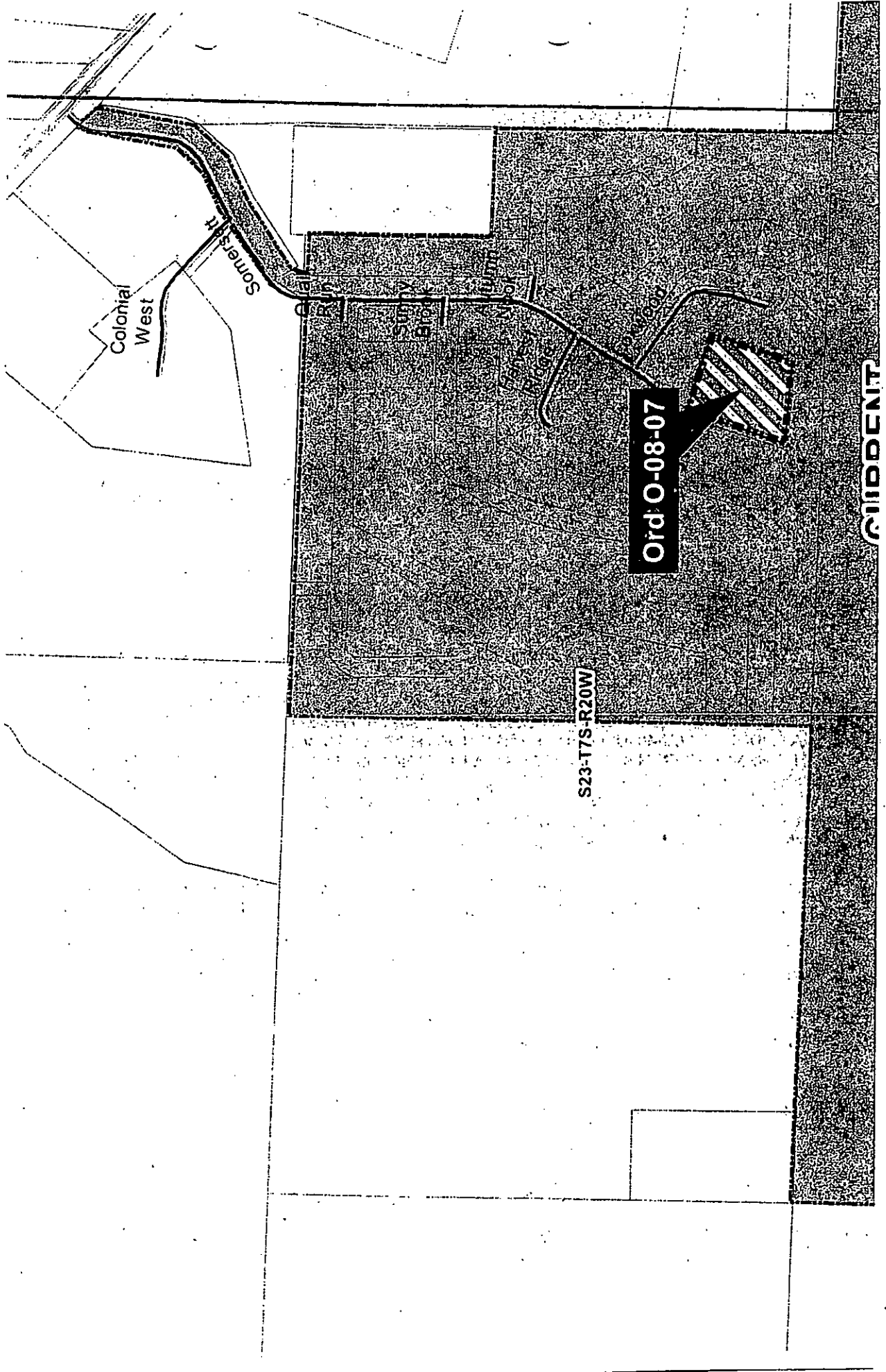
Yours truly,


Ed McCorkle

EM/jh

Enclosures

Historic Annex Ord O-08-07: City of Arkadelphia
March 2021



municipality in which the sale of alcoholic beverages is lawful, the sale of alcoholic beverages shall continue to be unlawful in such annexed territory. [Acts 1967, No. 651, § 7, p. 1199.]

19-336. Two or more counties in municipalities should be separate townships for legal purposes. — When any municipality in this State shall now or hereafter include within its limits territory situated in two (2) or more counties, the territory situated in each county shall be a separate township and shall be established as such by the county courts of the respective counties [Acts 1967, No. 651, § 8, p. 1199.]

Repealing Clause. Section 9 of Acts 1967, No. 651 repealed all laws and parts of laws in conflict therewith.

Separability. Section 10 of Acts 1967, No. 651 read "If any provision of this Act or the application thereof to any person or

circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application and to this end the provisions of this Act are declared to be severable."

19-337. Annexation of surrounded land — Exceptions. — Whenever the incorporated limits of a municipality have completely surrounded an unincorporated area, the governing body of the municipality may propose an ordinance calling for the annexation of the land surrounded by the municipality. Said ordinance will provide a legal description of the land to be annexed and describe generally the services to be extended to the area to be annexed. The unincorporated area to be annexed shall comply with the standards for lands qualifying for annexation which are set forth in Section 1 of Act 298 of 1971, as amended (Ark. Stat. 19-307.1). Provided, that privately-owned lakes exceeding 6 acres of water surface which are used exclusively for recreational purposes and lands adjacent thereto not exceeding 20 acres in size which are used exclusively for recreational purposes in relation to the lake shall not qualify for annexation under the provisions of this Act [§§ 19-337 — 19-339]. [Acts 1979, No. 314, § 1, p. —.]

19-338. Hearing — Notice. — A public hearing shall be conducted within sixty (60) days of the proposal of the ordinance calling for annexation. At least fifteen (15) days prior to the date of the public hearing the governing body of the municipality shall publish a legal notice setting out the legal description of the territory proposed to be annexed and notify by certified mail all the property owners within the area proposed to be annexed of their right to appear at the public hearing to present their views on the proposed annexation. [Acts 1979, No. 314, § 2, p. —.]

19-339. Procedure for annexation. — At the next regularly scheduled meeting following the public hearing the governing body of the municipality proposing annexation may bring the proposed ordinance up for a vote. If a majority of the total number of members of the governing body vote for the proposed annexation ordinance, then a prima facie case for annexation shall be established, and the city shall proceed to render services to the annexed area. The decision of the city council shall be final unless suit is brought in

Chancery Court of the appropriate county within thirty (30) days after passage to review the actions of the governing body. [Acts 1979, No. 314, § 3, p. —.]

Emergency. Section 4 of Acts 1979, No. 314 read: "Whereas, many islands of small unincorporated areas have been created within the limits of existing municipalities, and whereas, this causes great confusion to the public and also great expense to municipalities in having to run vital services around these islands; now, therefore, an

emergency is hereby declared to exist and this Act being necessary for the immediate protection of the public peace, health and safety shall take effect immediately on its passage and approval." Became law without governor's signature. Noted in governor's office March 7, 1979.

CHAPTER 4

ADDITIONS

SECTION.	SECTION.
19-401. Plats of new additions to be filed and recorded.	19-408. Tenants in common or corporation may reduce addition to acreage.
19-402. Circuit clerk to certify name of addition and date of filing — Penalty.	19-409. Owner of part of addition may reduce to acreage.
19-403. Misdemeanor to offer lots for sale until plat filed — Penalty.	19-410. Not to apply to parts less than one-third of whole addition or division.
19-404. County clerk to enter lots on tax books.	19-411. Notice of filing petition.
19-405. Duty of circuit clerk to enter lot and block on tax books.	19-412. County court to hear petition — Order to reduce to acreage.
19-406. Penalty for failure of county clerk to comply.	19-413. Person aggrieved may appeal.
19-407. Addition or division reduced to acreage on petition.	

19-401. Plats of new additions to be filed and recorded. — Any person or persons, corporation or corporations, owning any real estate, who shall have or shall make any addition of said real estate to any town or city in this State shall be required to file and record a regular plat of the same in the office of the circuit clerk and recorder of the county in which said land is situated, within thirty [30] days after the passage of this act [§§ 19-401—19-406], and any additions made after the passage of this act shall be required to be so filed and recorded within thirty [30] days after such formation or addition. [Act May 13, 1907, No. 306, § 1, p. 730, C. & M. Dig., § 7481; Pope's Dig., § 9524.]

Compiler's Notes. This section is deemed to supersede Acts 1901, No. 132, § 1.

Cross-References. Copies of plats for areas outside municipality to be transmitted to county planning board, § 17-1112.

Misdemeanor to offer for sale until plat of lots filed, § 19-406.

Subdividing land outside cities and towns, §§ 17-1201—17-1204.

Legal Periodicals, Comment, County Government Reorganization in Arkansas, 28 Ark. L. Rev. 226.

SUBCHAPTER 4 — ANNEXATION OF LANDS IN ADJOINING COUNTY

SECTION.

14-40-401. Authority.

Publisher's Notes. Former subchapter 4, concerning annexation of lands in adjoining county, was repealed by Acts 1995, No. 555, § 1. The former subchapter was derived from the following sources:

- 14-40-401. Acts 1967, No. 651, § 1; A.S.A. 1947, § 19-329.
- 14-40-402. Acts 1967, No. 651, § 2; A.S.A. 1947, § 19-330.
- 14-40-403. Acts 1967, No. 651, § 3; A.S.A. 1947, § 19-331.

- 14-40-404. Acts 1967, No. 651, § 4; A.S.A. 1947, § 19-332.
- 14-40-405. Acts 1967, No. 651, § 5; A.S.A. 1947, § 19-333.
- 14-40-406. Acts 1967, No. 651, § 6; A.S.A. 1947, § 19-334.
- 14-40-407. Acts 1967, No. 651, § 7; A.S.A. 1947, § 19-335.
- 14-40-408. Acts 1967, No. 651, § 8; A.S.A. 1947, § 19-336.

14-40-401. Authority.

(a) The General Assembly finds that there are areas within adjoining counties that are so necessary to the satisfactory conducting of a city's business that there is a need to annex land lying in the adjoining county into the city. This law will aid the residents to receive needed services to improve the quality of life in the unincorporated area.

(b) Any lands contiguous to a municipality having a population of seventy-five thousand (75,000) or less, although located in an adjoining county, may become annexed to the municipality in the manner provided in this chapter.

History. Acts 1995, No. 1286, §§ 1, 2.
Publisher's Notes. Acts 1995, No.

1286 became law without the Governor's signature.

SUBCHAPTER 5 — ANNEXATION OF SURROUNDED LAND

SECTION.

14-40-501. Authority — Exceptions.
14-40-502. Hearing — Notice.

SECTION.

14-40-503. Procedure for annexation.
14-40-504. Enclaves prohibited.

Current — 4-13-21

Effective Dates. Acts 1979, No. 314, § 4; became law without Governor's signature, Mar. 7, 1979. Emergency clause provided: "Whereas, many islands of small unincorporated areas have been created within the limits of existing municipalities, and whereas, this causes great confusion to the public and also great

expense to municipalities in having to run vital services around these islands; now, therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate protection of the public peace, health and safety shall take effect immediately on its passage and approval."

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14-40-501. Authority — Exceptions.

(a) (1) (A) (i) Whenever the incorporated limits of a municipality have completely surrounded an unincorporated area, the governing body of the municipality may propose an ordinance calling for the annexation of the land surrounded by the municipality.

(ii) Subdivision (a) (1) (A) (i) of this section shall include situations in which the incorporated limits of a municipality have surrounded an unincorporated area on only three (3) sides because the fourth side is a boundary line with another state, a military base, a state park, or a national forest.

(B) If the incorporated limits of two (2) or more municipalities have completely surrounded an unincorporated area, the governing body of the municipality with the greater distance of city limits adjoining the unincorporated area's perimeter may propose an ordinance calling for the annexation of the land surrounded by the municipalities, unless it is agreed by the adjoining municipalities that another of the adjoining municipalities should propose an ordinance calling for the annexation.

(2) The ordinance will provide a legal description of the land to be annexed and describe generally the services to be extended to the area to be annexed.

(b) (1) The unincorporated area to be annexed shall comply with the standards for lands qualifying for annexation which are set forth in § 14-40-302.

(2) Privately owned lakes exceeding six (6) acres of water surface which are used exclusively for recreational purposes and lands adjacent to them not exceeding twenty (20) acres in size which are used exclusively for recreational purposes in relation to the lake shall not qualify for annexation under the provisions of this subchapter.

History. Acts 1979, No. 314, § 1; A.S.A. 1947, § 19-337; Acts 2005, No. 1819, § 1; 2007, No. 150, § 1; 2013, No. 1243, § 1. **Amendments.** The 2013 amendment added "a military base, a state park, or a national forest" at the end of (a) (1) (A) (ii).

14-40-502. Hearing — Notice.

(a) A public hearing shall be conducted within sixty (60) days of the proposal of the ordinance calling for annexation.

(b) At least fifteen (15) days prior to the date of the public hearing, the governing body of the municipality shall publish a legal notice setting out the legal description of the territory proposed to be annexed and notify by certified mail all the property owners within the area proposed to be annexed of their right to appear at the public hearing to present their views on the proposed annexation.

History. Acts 1979, No. 314, § 2; A.S.A. 1947, § 19-338.

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B. Surrounded Lands

ORDINANCE NO. _____
AN ORDINANCE ANNEXING
CERTAIN LANDS THAT ARE COM-
PLETELY SURROUNDED BY THE
INCORPORATED LIMITS OF THE
CITY OF _____; DECLARING AN
EMERGENCY; AND FOR OTHER
PURPOSES.

WHEREAS, Arkansas Code Annotated sections 14-40-501—14-40-503 provide that unincorporated islands of land that have been surrounded by the incorporated limits of a municipality may be annexed by that municipality, including situations in which the unincorporated area is surrounded on three sides by the municipal boundaries and on the fourth side by a state boundary, a military base, a state park, a national forest, a lake or a river.

WHEREAS, the City of _____ desires to annex certain lands more completely described below; and
WHEREAS, all necessary urban services, such as fire and police protection, are to be extended to such area within a reasonable period of time; and

WHEREAS, the area to be annexed complies with the standards for lands qualifying for annexation which are set forth in A.C.A. § 14-40-302 and A.C.A. § 14-40-501; and

WHEREAS, the council finds that the territory to be annexed is [*describe how the territory is surrounded, whether (1) surrounded by the incorporated limits of a municipality or (2) on three sides by the municipal boundaries and on the fourth side by a state boundary, a military base, a state park, a national forest, a lake or a river*]; _____; and

WHEREAS, the council further finds that the territory consists of lands that are: [*describe how the lands meet one or more of the following criteria*]:

- (1) Platted and held for sale or use as municipal lots;
- (2) Whether platted or not, if the lands are held to be sold as suburban property;
- (3) When the lands furnish the abode for a densely settled community or represent the actual growth of the municipality beyond its legal boundary;
- (4) Needed for any proper municipal purposes such as for the extension of needed police regulation; or
- (5) When they are valuable by reason of their adaptability for prospective municipal uses; and

WHEREAS, a public hearing was held on (month, day, year), regarding this proposed annexation; and
WHEREAS, on (month, day, year), a legal notice was published setting out the legal description of the territory proposed to be annexed, and all property owners within the area were notified by certified mail of their right to appear at the public hearing.

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

SECTION 1. That the following described unincorporated area which is completely surrounded by the city limits of the City of [*or, is surrounded on three sides by the city limits of the City of and on the fourth side by a military base/state park/ national forest/lake/river*] is hereby annexed to the City of _____

(description of the area)

SECTION 2. All necessary urban services, such as police and fire protection, solid waste collection and disposal, and maintenance of public streets shall be extended to such area within a reasonable time.

SECTION 3. Notice. 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 each county in which the territory is affected.

SECTION 4. Because these areas are in need of all necessary urban services, such as police and fire protection, and this is necessary for the public peace, health, safety and welfare, an emergency is declared to exist. Therefore, this ordinance shall be in full force and effect from after the date of the passage.

PASSED: _____

ATTEST: _____
Clerk or Recorder

APPROVED: _____
Mayor

F on the 13 day of April 2021

Mona Vance
[Signature]

County Clerk, Clark County

**REGULAR CALLED MEETING
BOARD OF DIRECTORS**

Boardroom

September 18th, 2008

7:00 P.M.

MEMBERS PRESENT:

OTHERS PRESENT:

Brenda Hagerich, *Ward 1*
Don Hager, *Ward 2*
Joe Phelps, *Ward 3*
Anthony Owen, *Ward 5*
James Calhoun, *Director At Large*
Ann Sanders, *Vice-Mayor Ward 4(Absent)*
C. T. Hollingshead, *Mayor*

Jimmy Bolt, *City Manager*
Rendi Currey, *City Clerk*
Joe Phelps, *Press*

(See attached list)

CALL TO ORDER

Mayor Hollingshead called the meeting to order at 7:00 p.m.

INVOCATION

Mayor Hollingshead

APPROVAL OF MINUTES

Director Calhoun made the motion seconded by Director Owen to approve the September 4th, 2008, regular meeting minutes as presented. **The motion passed on a roll call vote. The vote was as follows:**

Brenda Hagerich	"Aye"	Don Hager	"Aye"
Joe Phelps	"Present"	Anthony Owen	"Aye"
James Calhoun	"Aye"	Mayor Hollingshead	"Aye"

CONSIDER ORDINANCE FOR HAYES ANNEXATION

A public hearing was held prior to this meeting and there were no opposition to the annexation. This property is a 1-acre piece of land completely surrounded by Arkadelphia's incorporated limits (Somerset Addition). Staff recommends that the Board consider approving the annexation ordinance to incorporate this property into the city. Director Calhoun made the motion seconded by Director Owen to place the ordinance on its first reading. **The motion passed unanimously on a roll call vote.**

The Mayor called for the Clerk to read the ordinance in its entirety:

**AN ORDINANCE ANNEXING CERTAIN LANDS THAT ARE COMPLETELY
SURROUNDED BY THE INCORPORATED LIMITS OF THE CITY OF
ARKADELPHIA, ARKANSAS; AND FOR OTHER PURPOSES**

Director Calhoun made the motion seconded by Director Owen to place the ordinance on its second reading title only at the Board's next regularly scheduled meeting. **The motion passed unanimously on a roll call vote.**

CONSIDER ORDINANCE FOR SOMERSETT DRIVE ANNEXATION

Southern Arkansas Community Development annexed approximately 40 acres into the City of Arkadelphia to construct Somerset Addition. After the annexation, the property owner deeded the right-of-way for the development to the City of Arkadelphia. Staff is requesting that the Board consider approving this ordinance so that access to the recently annexed residential development be within Arkadelphia's boundary. Director Calhoun made the motion seconded by

Director Owen to place the ordinance on its first reading. **The motion passed unanimously on a roll call vote.**

The Mayor called for the Clerk to read the ordinance in its entirety:

AN ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN TERRITORY, GENERALLY DESCRIBED AS A PARCEL OF LAND BEING LOCATED IN THE NE ¼ NE ¼ OF SECTION 23 AND THE NW ¼ NW ¼ OF SECTION 24 ALL IN TOWNSHIP 7 SOUTH RANGE 20 WEST, CLARK COUNTY, ARKANSAS, TO THE CITY OF ARKADELPHIA, ARKANSAS, AND MAKING THE SAME A PART OF THE CITY OF ARKADELPHIA, ARKANSAS

Director Callhoun made the motion seconded by Director Owen to place the ordinance on its second reading title only at the Board's next regularly scheduled meeting. **The motion passed unanimously on a roll call vote.**

CONSIDER TRASH BAG BIDS

Ads were run and bids were opened on September 15th, 2008. It is the recommendation of the Arkadelphia Sanitation Department that Dyna Pak Corp. be awarded the trash bag business for 2009. This company has had our trash bag business in the past and the citizens were very satisfied with them.

BIDDER	LOCATION	BID PRICE
Dyna Pak Corp.	Lawrenceburg, Tennessee	\$90.91 per M No Arkansas Sales Tax
Flexsol	Brentwood, Tennessee	\$113.21 per M
Jadcore, Inc.	Brazil, Indiana	\$92.70 per M No Arkansas Sales Tax
Central Poly Corp.	Linden, New Jersey	\$91.20 per M No Arkansas Sales Tax
Interboro Packaging Corp.	Montgomery, New York	Bid A. \$219.34 per M Bid B. \$178.82 per M Bid C. \$136.48 per M Bid D. \$89.98 per M Bid E. \$65.84 per M Bid D & E bids do not meet specs

Director Owen made the motion seconded by Director Hagerich to accept the low bid of \$90.91 per M by Dyna Pak. **The motion passed unanimously on a roll call vote.**

CITY MANAGER'S REPORT

- Late last week staff spent time preparing for Ike, also the Red Cross opened the recreation center for evacuees.

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Postage Only, No Insurance Coverage Provided)

For delivery information, visit us at www.usps.com

Postage: 42
 Certified Fee: 5.70
 Return Receipt Fee: 2.80
 Restricted Delivery Fee: 3.00
 Total Postage & Fees: \$ 5.12

Position Here

Sent To
 Street Address: William and Edith Hayes
 or PO Box No: 1007 N. 26th Street
 City, State, ZIP: Arkadelphia, AR 71923

COPY



City of Arkadelphia
 Building Department
 0 Clay Street, Suite 121
 arkadelphia, Arkansas 71923
 -246-1818 • Fax 870-245-3553

September 3, 2008

CERTIFIED MAIL

William and Edith Hayes
 1007 N. 26th Street
 Arkadelphia, AR 71923

Dear Mr. and Mrs. Hayes:

The City Board of Directors will hold a public hearing on the date stated below to consider a proposed annexation ordinance (annexing your property into the Arkadelphia city limits) for your property surrounded by Somerset Addition owned by SACD. A copy of the legal notice submitted to the Daily Siftings Herald follows:

LEGAL NOTICE

Notice is hereby given that there will be a public hearing on September 18, 2008 at 6:30 p.m. in the Town Hall Boardroom, 700 Clay Street to consider an annexation to the City of Arkadelphia, Arkansas of a parcel of land generally described as being in the vicinity of Arkansas Highway 8 and Colonial West Drive and more accurately described as follows:

A PARCEL OF LAND BEING LOCATED IN THE SE/4 NE/4 OF SECTION 23; T7S, R20W, CLARK COUNTY, ARKANSAS, AND BEING DESCRIBED AS FOLLOWS: BEGIN AT THE SOUTHEAST CORNER OF SAID SE/4 NE/4, A FOUND 2" ALUMINUM CAP THENCE NORTH 87° 57' 29" WEST, A DISTANCE OF 575.50 FEET; THENCE NORTH 02° 30' 47" EAST, A DISTANCE OF 96.40 FEET TO THE POINT OF BEGINNING; THENCE NORTH 18° 32' 47" EAST, A DISTANCE OF 207.00 FEET; THENCE NORTH 73° 17' 13" WEST, A DISTANCE OF 190.00 FEET; THENCE SOUTH 18° 32' 55" WEST, A DISTANCE OF 253.70 FEET; THENCE SOUTH 86° 59' 05" EAST, A DISTANCE OF 197.11 FEET TO THE POINT OF BEGINNING. CONTAINING 1.00 ACRES, MORE OR LESS.

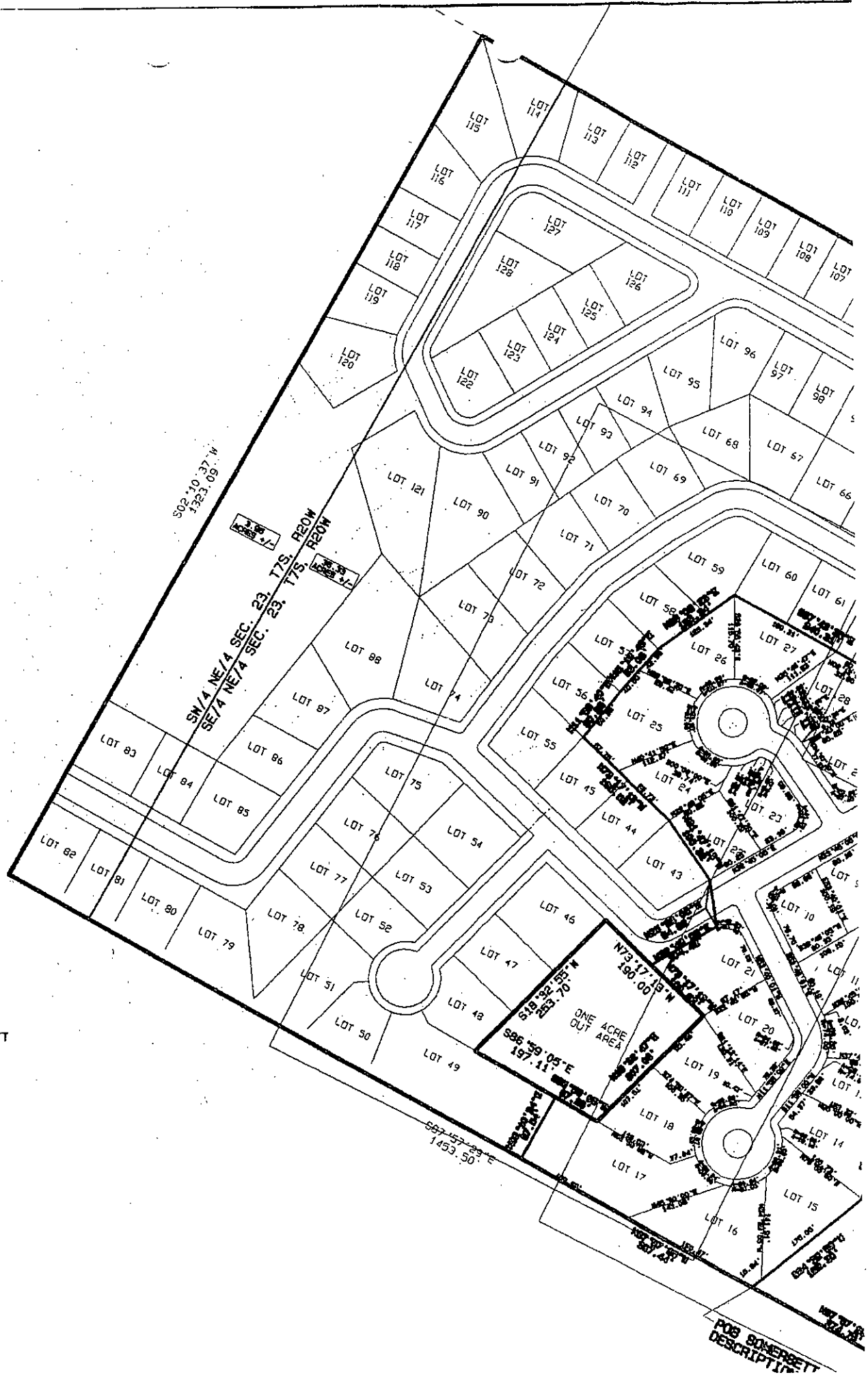
Dated this 28th day of August 2008. By: Rendi Currey, City Clerk.

Please contact me if you have any questions or concerns.

Sincerely,

Anita Wiley

Anita Wiley
 Building Department Supervisor



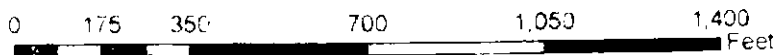
LEGEND
 ELEMENT FOUND Δ
 ELEMENT SET \square
 E: 9/29/07
 L.E: 1 IN. = 100 FT.
 ENAME: R2000_SACD07 SOMERSETT
 W-COLONIAL DR.

POS SOMERSETT
 DESCRIPTION


ARKADELPHIA
It's a great place to call home!



1 inch equals 350 feet



Matthew Strawn
Building Department/GIS
8/28/2007

SOMERSETT SUBDIVISION

SURVEYED DESCRIPTION:

A PARCEL OF LAND BEING LOCATED IN THE SE/4 NE/4 AND THE SW/4 NE/4 OF SECTION 23, T7S, R20W, CLARK COUNTY, ARKANSAS, AND BEING DESCRIBED AS FOLLOWS: BEGIN AT THE SOUTHEAST CORNER OF SAID SE/4 NE/4, A FOUND 2" ALUMINUM CAP AND THE POINT OF BEGINNING; THENCE NORTH 02°10'37" EAST ALONG THE EAST LINE OF SAID SE/4 NE/4, A DISTANCE OF 861.18 FEET; THENCE NORTH 87°43'39" WEST, A DISTANCE OF 254.00 FEET; THENCE NORTH 02°10'37" EAST, A DISTANCE OF 456.06 FEET TO THE NORTH LINE OF SAID SE/4 NE/4; THENCE NORTH 87°43'39" WEST ALONG THE NORTH LINE OF THE SE/4 NE/4 AND THE SW/4 NE/4, A DISTANCE OF 1189.50 FEET; THENCE SOUTH 02°10'37" WEST, A DISTANCE OF 1323.09 FEET TO THE SOUTH LINE OF SAID SW/4 NE/4; THENCE SOUTH 87°57'29" EAST ALONG THE SOUTH LINE OF THE SW/4 NE/4 AND THE SE/4 NE/4, A DISTANCE OF 1453.50 FEET TO THE POINT OF BEGINNING. CONTAINING 41.29 ACRES, MORE OR LESS. LESS & EXCEPT THE FOLLOWING DESCRIBED PARCEL OF LAND: A PARCEL OF LAND BEING LOCATED IN THE SE/4 NE/4 OF SECTION 23, T7S, R20W, CLARK COUNTY, ARKANSAS, AND BEING DESCRIBED AS FOLLOWS: BEGIN AT THE SOUTHEAST CORNER OF SAID SE/4 NE/4, A FOUND 2" ALUMINUM CAP THENCE NORTH 87°57'29" WEST, A DISTANCE OF 575.50 FEET; THENCE NORTH 02°30'47" EAST, A DISTANCE OF 96.40 FEET TO THE POINT OF BEGINNING; THENCE NORTH 18°32'47" EAST, A DISTANCE OF 207.00 FEET; THENCE NORTH 73°17'13" WEST, A DISTANCE OF 190.00 FEET; THENCE SOUTH 18°32'55" WEST, A DISTANCE OF 253.70 FEET; THENCE SOUTH 86°59'05" EAST, A DISTANCE OF 197.11 FEET TO THE POINT OF BEGINNING. CONTAINING 1.00 ACRES, MORE OR LESS; LEAVING 40.29 ACRES, +/- IN THE ABOVE DESCRIBED SUBJECT PARCEL.

COLONIAL DRIVE DESCRIPTION:

A PARCEL OF LAND BEING LOCATED IN THE NE/4 NE/4 OF SECTION 23 AND THE NW/4 NW/4 OF SECTION 24 ALL IN T7S, R20W, CLARK COUNTY, ARKANSAS, AND BEING DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHEAST CORNER OF SAID NE/4 NE/4 THENCE NORTH 87°43'39" WEST ALONG THE SOUTH LINE OF SAID NE/4 NE/4 OF SECTION 23, A DISTANCE OF 364.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 02°10'37" EAST, A DISTANCE OF 2.58 FEET TO THE BEGINNING OF A CURVE TANGENT TO SAID LINE; THENCE NORTHERLY AND NORTHEASTERLY A DISTANCE OF 41.80 FEET ALONG THE CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 44.00 FEET AND A CENTRAL ANGLE OF 54°25'53"; THENCE NORTH 56°36'30" EAST TANGENT TO SAID CURVE, A DISTANCE OF 207.44 FEET; THENCE NORTH 63°54'47" EAST, A DISTANCE OF 114.69 FEET TO THE BEGINNING OF A CURVE TANGENT TO SAID LINE; THENCE NORTHEASTERLY A DISTANCE OF 27.37 FEET ALONG THE CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 69.50 FEET AND A CENTRAL ANGLE OF 22°33'55"; THENCE NORTH 41°20'52" EAST TANGENT TO SAID CURVE, A DISTANCE OF 85.68 FEET TO THE BEGINNING OF A CURVE TANGENT TO SAID LINE; THENCE NORTHEASTERLY AND NORTHERLY A DISTANCE OF 38.16 FEET ALONG THE CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 69.50 FEET AND A CENTRAL ANGLE OF 31°27'36"; THENCE NORTH 09°53'16" EAST TANGENT TO SAID CURVE, A DISTANCE OF 186.73 FEET; THENCE NORTH 05°51'43" EAST, A DISTANCE OF 25.10 FEET TO THE SOUTHWESTERN RIGHT OF WAY LINE OF ARKANSAS HIGHWAY #8; THENCE NORTH 46°58'40" WEST ALONG THE SOUTHWESTERN RIGHT OF WAY LINE OF SAID HIGHWAY, A DISTANCE OF 64.66 FEET; THENCE SOUTH 26°54'10" WEST, A DISTANCE OF 20.82 FEET; THENCE SOUTH 09°53'15" WEST, A DISTANCE OF 226.92 FEET TO THE BEGINNING OF A CURVE TANGENT TO SAID LINE; THENCE SOUTHERLY AND SOUTHWESTERLY A DISTANCE OF 4.67 FEET ALONG THE CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 8.50 FEET AND A CENTRAL ANGLE OF 31°27'36"; THENCE SOUTH 41°20'52" WEST TANGENT TO SAID CURVE, A DISTANCE OF 85.20 FEET TO THE BEGINNING OF A CURVE TANGENT TO SAID LINE; THENCE SOUTHWESTERLY A DISTANCE OF 3.35 FEET ALONG THE CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 8.50 FEET AND A CENTRAL ANGLE OF 22°33'55"; THENCE SOUTH 63°54'47" WEST TANGENT TO SAID CURVE, A DISTANCE OF 102.71 FEET; THENCE SOUTH 56°36'30" WEST, A DISTANCE OF 227.00 FEET TO THE BEGINNING OF A CURVE TANGENT TO SAID LINE; THENCE SOUTHWESTERLY AND SOUTHERLY A DISTANCE OF 98.80 FEET ALONG THE CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 104.00 FEET AND A CENTRAL ANGLE OF 54°25'53"; THENCE SOUTH 02°10'37" WEST, A DISTANCE OF 2.48 FEET TO THE SOUTH LINE OF SAID NE/4 NE/4; THENCE SOUTH 87°43'39" EAST, A DISTANCE OF 60.00 FEET TO THE POINT OF BEGINNING. CONTAINING 1.05 ACRES, MORE OR LESS.

Clark County Assessor's Office Real Property Records

Property ID: 5685

Parcel: 01-04648-000

Location: (SOM)

Owner: HAYES, WILLIAM & EDITH

246-11294

1007 N 26TH ST

ARKADELPHIA, AR 71923

Property Type: (RV) Res. Vacant

Tax District: (1) ARKADELPHIA

Tax District Millage Rate: 44.20

2008 Market Value: Land: 7,000 Bldg: 0 Total: 7,000

2008 Assessed Value: Land: 572 Bldg: 0 Total: 572

Homestead Status: N/A | Credit: No | Amount: \$0.00

2008 Estimated A.V. Tax: Contact Tax Collector at (870) 246-2211 for tax amounts.

S-T-R: 23-07-20

Subdivison: 23-07-20

Acres: 1.000

Legal:

PT SE NE

Transfers

Deed Date	Book	Page	Deed Type	Deed Stamps	Est. Sale Price	Grantee
1/2/1901	362	250				CORRECTION
1/1/1901	355	4				

Land

Size	Units	Use/Dimensions
1.000	Und Lot	

This parcel is vacant.

8-27-08
11:50 AM
Edith
OR with 'it'
(annexing)
+ R-1A.

Back to: [[Search page](#)] [[County page](#)] [[actDataScout page](#)]

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

William and Edith Hayes
 1007 N. 26th Street
 Arkadelphia, AR 71923

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
William Hayes Addressee

B. Received by (Printed Name) C. Date of Delivery
William Hayes *2/5/04*

D. Is delivery address different from item 1? Yes No
 If YES, enter delivery address below:

3. Service Type Express Mail

Certified Mail Registered Return Receipt for Merchandise

Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes No

2. Article Number (Transfer from service label) 7002 3150 0004 2981 9131

PS Form 3811, February 2004 Domestic Return Receipt

102595-02-M-1540

ORDINANCE NO. 0-08-07

AN ORDINANCE ANNEXING CERTAIN LANDS THAT ARE COMPLETELY SURROUNDED BY THE INCORPORATED LIMITS OF THE CITY OF ARKADELPHIA, ARKANSAS; AND FOR OTHER PURPOSES.

WHEREAS, ACA 14-40-501 thru 14-40-503 provides that unincorporated islands of land that have been completely surrounded by the incorporated limits of a municipality may be annexed by that municipality; and

WHEREAS, the City of Arkadelphia desires to annex certain lands more completely described below; and

WHEREAS, necessary urban services, such as fire and police protection, will be immediately provided; water and sewer are available within a reasonable distance; and

WHEREAS, the area to be annexed complies with the standards for lands qualifying for annexation which are set forth in ACA 14-40-301 thru 14-40-304 and ACA 14-40-501 thru 14-40-503; and

WHEREAS, a public hearing was held on September 18, 2008 regarding this proposed annexation; and

WHEREAS, on September 2, 2008, a legal notice was published setting out the legal description of the territory proposed to be annexed, and all property owners within the area were notified by certified mail of their right to appear at the public hearing.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY BOARD OF THE CITY OF ARKADELPHIA, ARKANSAS:

SECTION 1. That the following described unincorporated area, which is completely surrounded by the city limits of the City of Arkadelphia, is hereby annexed to the City of Arkadelphia:

A PARCEL OF LAND BEING LOCATED IN THE SE/4 NE/4 OF SECTION 23, T7S, R20W, CLARK COUNTY, ARKANSAS, AND BEING DESCRIBED AS FOLLOWS: BEGIN AT THE SOUTHEAST CORNER OF SAID SE/4 NE/4, A FOUND 2" ALUMINUM CAP THENCE NORTH 87° 57' 29" WEST, A DISTANCE OF 575.50 FEET; THENCE NORTH 02° 30' 47" EAST, A DISTANCE OF 96.40 FEET TO THE POINT OF BEGINNING; THENCE NORTH 18° 32' 47" EAST, A DISTANCE OF 207.00 FEET; THENCE NORTH 73° 17' 13" WEST, A DISTANCE OF 190.00 FEET; THENCE SOUTH 18° 32' 55" WEST, A DISTANCE OF 253.70 FEET; THENCE SOUTH 86° 59' 05" EAST, A DISTANCE OF 197.11 FEET TO THE POINT OF BEGINNING. CONTAINING 1.00 ACRES, MORE OR LESS.

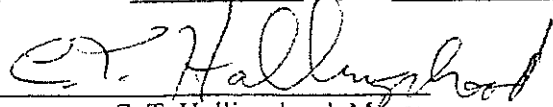
SECTION 2. That the above-described territory shall be annexed to and made a part of Ward 5 of the City of Arkadelphia, and the same shall henceforth be a part of said ward as fully as existing parts of said ward.

SECTION 3. The above-described territory should be and is hereby zoned Residential Use District, R-1A and the zoning map of the City of Arkadelphia, Arkansas is hereby amended to show said classification.

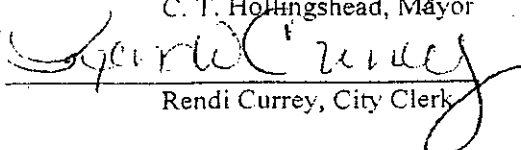
SECTION 4. Necessary urban services, such as police and fire protection will be immediately provided. Water and sewer are available within a reasonable distance.

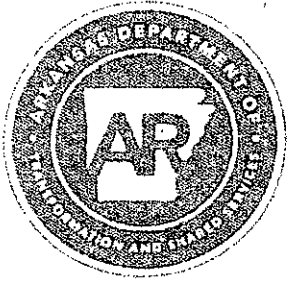
Passed and approved this 16th day of October, 2008

APPROVED:


C. T. Hollingshead, Mayor

ATTEST:


Rendi Currey, City Clerk



Department of Transformation and Shared Services

Governor Asa Hutchinson
Secretary Amy Fecher
Director Shelby Johnson

Filed on the 13 day of April, 2021

March 11, 2021

Mona Vance
County Clerk, Clark County

Ms. Jessica Davis
City Clerk – City of Arkadelphia
700 Clay Street
Arkadelphia, AR 71923

RE: City of Arkadelphia Annexation Coordination Requirement

Ms. Davis,

Thank you for coordinating with our office as you seek to file the 2008 Annexation ordinance O-08-07 located in Section 23, Township 7 South, Range 20 West. This letter represents confirmation that you have 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.

Sincerely,

Jennifer Wheeler, Sr. GIS Analyst

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

H:\City_Annexations\Cities\Arkadelphia\20210311_Historic\Doc\20210311_Historic_Arkadelphia_Annexation_Coordination_Letter.docx

Historic Annex Ord O-08-07: City of Arkadelphia
March 2021

