



# ARKANSAS SECRETARY OF STATE

MARK MARTIN

October 20, 2016

The Honorable Doug Curtis  
Saline County Clerk  
215 Main, Suite 9  
Benton, AR 72019

Re: City of Benton Annexation Ordinance 46 of 2016

Dear Mr. Curtis,

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 § 14-40-609 (annexation by petition 100% of land owners)

Effective Date: 9/26/2016 (Emergency Declared)

County: Saline

City: Benton

City Ordinance: 46 of 2016

Dated: 09/26/2016

County Court Order: CC 2016-5

Dated: 07/26/2016

A file marked copy of the ordinance and exhibits submitted to our Office along with the GIS Office map 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  
Special Projects Manager  
Arkansas Secretary of State Legal Division  
500 Woodlane St, Suite 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)  
UALR Institution for Economic Advancement (w/encl)  
Tom-Tom (w/encl)  
Ms. Cindy Stracener, City Clerk and Treasurer

Room 256 State Capitol • Little Rock, Arkansas 72201-1094  
501-682-1010 • Fax 501-682-3510  
e-mail: [arsos@sos.arkansas.gov](mailto:arsos@sos.arkansas.gov) • [www.sos.arkansas.gov](http://www.sos.arkansas.gov)





# Arkansas Secretary of State

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

## Municipal Boundary Change Checklist

County: Saline City/Town: Benton, AR

City Ordinance/Resolution No: 46 of 2016 Date approved: 9-26-16

County Court Case No: CC2016-5 Date of Order: July 26, 2016

Type: Click down arrow at right to select from a list of Arkansas Code municipal boundary filing types

Date Change Effective: 9-26-16 Emergency clause:  Yes  No

For Circuit Court Challenge: Date 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 (not required for A.C.A. §14-40-1801)
- File marked copy of County Court Order (not required for A.C.A. §14-40-501)
- Proof of Publication for all Legal Notices (Hearing, Election, City Ordinance/Resolution)
- Copy of Arkansas GIS approved printed map and certification letter
- File marked copy of Petition Part or File marked copy of the certified special election results (if applicable)
- File marked copy of Complaint and final Circuit Court Order (Court Challenge only)

### Municipal Contact:

Name: Cindy Stracener Title: City Clerk

Street Address: 114 South East St

City: Benton St: AR Zip code: 72015

### City/County Official:

Signature: Cindy Stracener Title: City Clerk

Date: 10-3-16

Complete one form for each ordinance/resolution and attach it as a cover page to the supporting document set. Submit the documents to Arkansas Secretary of State, Attn: Municipal Boundary Filing, 500 Woodlane Ave, Little Rock, AR 72201-1094

Office of the Arkansas Secretary of State use only

Received by: Cynthia Fisher

**F I L E D**

OCT 20 2016

Arkansas  
Secretary of State

FILED  
SALINE COUNTY  
CLERK & COUNTY CLERK

2016 JUL 26 AM 10:32

**Doug Curtis**

BY 

*Saline County Clerk*

215 N. Main, Suite 9, Benton, Arkansas 72019 · (501) 303-5630

July 25, 2016

**RECEIVED**

OCT 19 2016

Arkansas  
Secretary of State

Re: In the Matter of Annexation of Certain Territory  
Contiguous to the City of Benton, Arkansas

Judge Arey,

In accordance with Arkansas Code Annotated § 14-40-609 (Act 991 of 2015), I have:

- A) Verified the identify of Petitioner in the above referenced matter;
- B) Verified that there are no property owners included in the petition that do not wish to have their property annexed;
- C) Verified that the property is contiguous with the City of Benton; and
- D) Verified that no enclaves will be created if the petition is accepted by the City of Benton.

If you have any questions, or need anything further, please do not hesitate to contact me.

Sincerely,

  
By DW

Doug Curtis

**FILED**

OCT 20 2016

Arkansas  
Secretary of State

**ORDINANCE NO. 46 OF 2016**

AN ORDINANCE ANNEXING CERTAIN TERRITORY INTO THE  
CORPORATE LIMITS OF THE CITY OF BENTON, SALINE COUNTY, ARKANSAS;  
DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

WHEREAS, the Duke Family Limited Partnership, LLP, as property owner, filed a petition with the County Court of Saline County, Arkansas, to annex certain contiguous property hereinafter described, into the corporate limits of the City of Benton, Saline County, Arkansas, and

WHEREAS, on the 26th day of July, 2016, Jeff Arey, Saline County Judge, determined that said petition should be granted and that the property hereinafter described should be released from Saline County and annexed to the corporate limits of the City of Benton, Saline County, Arkansas; and

WHEREAS, more than thirty (30) days has expired since entry of said order and the City of Benton desires to accept said property into the City,

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

SECTION 1: The property hereinafter described be annexed and made a part of the City of Benton, Saline County, Arkansas, and is to be included in Ward 2 and zoned as CH- Commercial Highway and is described as follows, to wit:

THAT PART OF THE NORTH HALF OF SECTION 20 AND THAT PART OF THE SOUTHEAST QUARTER OF SECTION 17, ALL IN TOWNSHIP 2 SOUTH, RANGE 15 WEST, SALINE COUNTY, ARKANSAS, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 20; THENCE SOUTH 89°13'23" WEST ALONG THE SOUTH LINE THEREOF 1358.25 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89°13'23" WEST CONTINUING ALONG SAID SOUTH LINE 617.82 FEET; THENCE NORTH 22°16'32" EAST 136.87 FEET; THENCE NORTH 67°43'28" WEST 309.78 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF HIGHWAY 67; THENCE ALONG SAID EAST RIGHT OF WAY LINE OF HIGHWAY 67 THE FOLLOWING COURSES: NORTHERLY ALONG SAID RIGHT OF WAY LINE 94.50 FEET ALONG A CURVE CONCAVE WESTERLY HAVING A RADIUS OF 4513.95 FEET SAID CURVE HAVING A CHORD DIRECTION OF NORTH 17°51'44" EAST AND A CHORD LENGTH OF 94.50 FEET; THENCE NORTH 17°15'45" EAST 720.73 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF INTERSTATE 30; THENCE ALONG SAID EAST RIGHT OF WAY LINE OF INTERSTATE 30 THE FOLLOWING COURSES: NORTH 48°01'54" EAST 511.91 FEET TO A POINT ON THE SOUTH LINE OF SECTION 17; THENCE NORTH 48°01'54" EAST 264.87 FEET; THENCE SOUTH 01°11'15" EAST LEAVING SAID RIGHT OF WAY LINE OF INTERSTATE 30 FOR 1550.45 FEET TO THE POINT OF BEGINNING. CONTAINING 20.00 ACRES MORE OR LESS.

**F I L E D**

OCT 20 2016

Arkansas  
Secretary of State

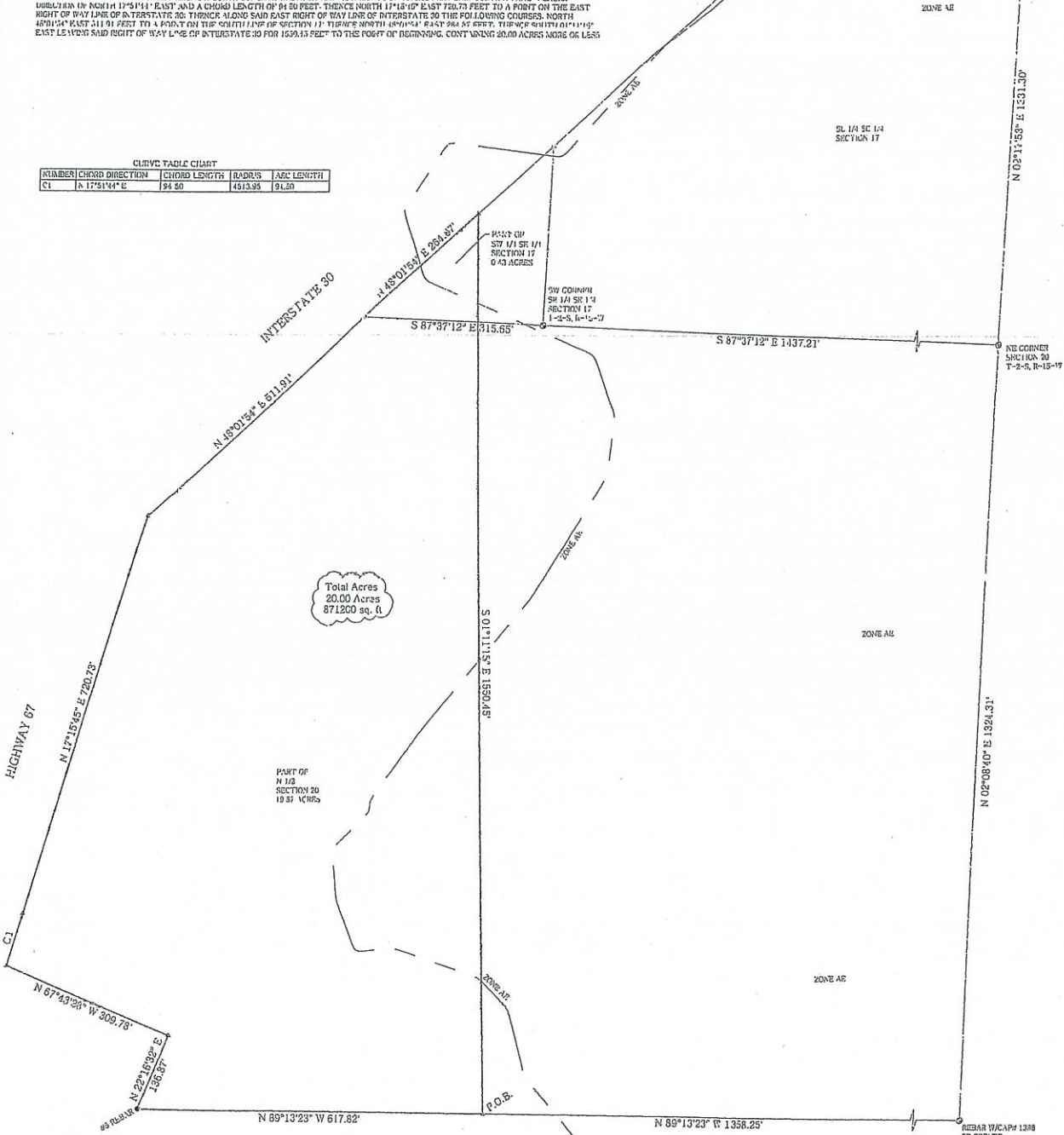
THIS SURVEYING SYSTEM IS BASED ON THE GROUND SURFACE OF THE EARTH AND IS NOT TO BE USED IN THE ZONE OF ARKANSAS SOUTH ZONE.

NE CORNER SECTION 17 T-2-S, R-15-W

PROPERTY DESCRIPTION AS SURVEYED

THAT PART OF THE NORTH HALF OF SECTION 20 AND THAT PART OF THE SOUTHEAST QUARTER OF SECTION 17, ALL IN TOWNSHIP 2 SOUTH, RANGE 15 WEST, SALINE COUNTY, ARKANSAS, DESCRIBED AS FOLLOWS:  
 COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 20; THENCE SOUTH 20°19'57" WEST 43.66 FEET TO THE 20' WIDE RIGHT OF WAY OF HIGHWAY 67; THENCE SOUTH 20°19'57" WEST 43.66 FEET TO THE 20' WIDE RIGHT OF WAY OF HIGHWAY 67; THENCE ALONG SAID EAST RIGHT OF WAY LINE OF HIGHWAY 67 THE FOLLOWING COURSES: NORTHERLY ALONG SAID RIGHT OF WAY LINE 84.50 FEET ALONG A CURVE CONVEX WESTERLY HAVING A RADIUS OF 413.98 FEET SAID CURVE HAVING A CHORD BEARING N 17°51'44" EAST AND A CHORD LENGTH OF 84.50 FEET; THENCE NORTH 17°51'44" EAST 720.73 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF INTERSTATE 30; THENCE ALONG SAID EAST RIGHT OF WAY LINE OF INTERSTATE 30 THE FOLLOWING COURSES: NORTH 49°15'14" EAST 111.81 FEET TO A POINT ON THE SOUTH LINE OF SECTION 17; THENCE NORTH 49°15'14" EAST 264.87 FEET TO THE POINT OF BEGINNING, CONTAINING 20.00 ACRES MORE OR LESS.

NUMBER	CHORD DIRECTION	CHORD LENGTH	RADIUS	ARC LENGTH
C1	N 17°51'44" E	84.50	413.98	84.50

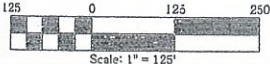


Total Acres  
20.00 Acres  
871200 sq. ft.

BY GRAPHIC PLOTTING ONLY THE DESCRIBED PROPERTY DOES NOT LIE WITHIN A FLOOD HAZARD AREA.

SOURCE FILE# 1  
 PANEL NO.: 0512300509  
 DATE: JUL 13 2012

- LEGEND
- FOUND MONUMENT
  - SET BY REBAR/CAP #1500
  - △ COMPUTED POINT
  - ⊙ CONTROLLING CORNER
  - FENCE



**RASHBERRY SURVEYING, LLC**  
 605 W. South Street  
 Benton, AR 72015  
 Office/Fax: (501) 860-4393  
 E-Mail: arcon@rassurvey.com

I hereby certify that the above plot represents a survey made by me or under my supervision on this day. No independent search for encumbrances, or any other facts which an accurate title search may disclose was performed.

FILE: C:\DRAWINGS\BENTON MAIN\BENTON MAIN  
 STATE CODE: 500-25-15W-0-20-104-62-1608  
 STATE CODE: 500-25-15W-0-17-200-02-1008

FOR USE AND BENEFIT OF:  
**DUKE FAMILY LTD**

PROPERTY ADDRESS:  
 4733 HIGHWAY 67  
 SALINE COUNTY, AR.

DATE: 07-11-10 DRAWN BY: DCR  
 JOB: 107-1, CHECKED BY: JAR





ARKANSAS  
GIS OFFICE

FILED  
SALINE COUNTY  
PROBATE & COUNTY CLERK  
07/21/16 13:51:52  
BY new

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July 21, 2016

Mr. Eric Richardson, P.E.  
Richardson Engineering, PLLC

RE: City of Benton Annexation Coordination Requirement

Mr. Richardson,

Thank you for coordinating with our office as you seek to annex property into the City of Benton, AR said property being part of the North ½ of Section 20, Township 2 South, Range 15 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 90<sup>th</sup> 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.

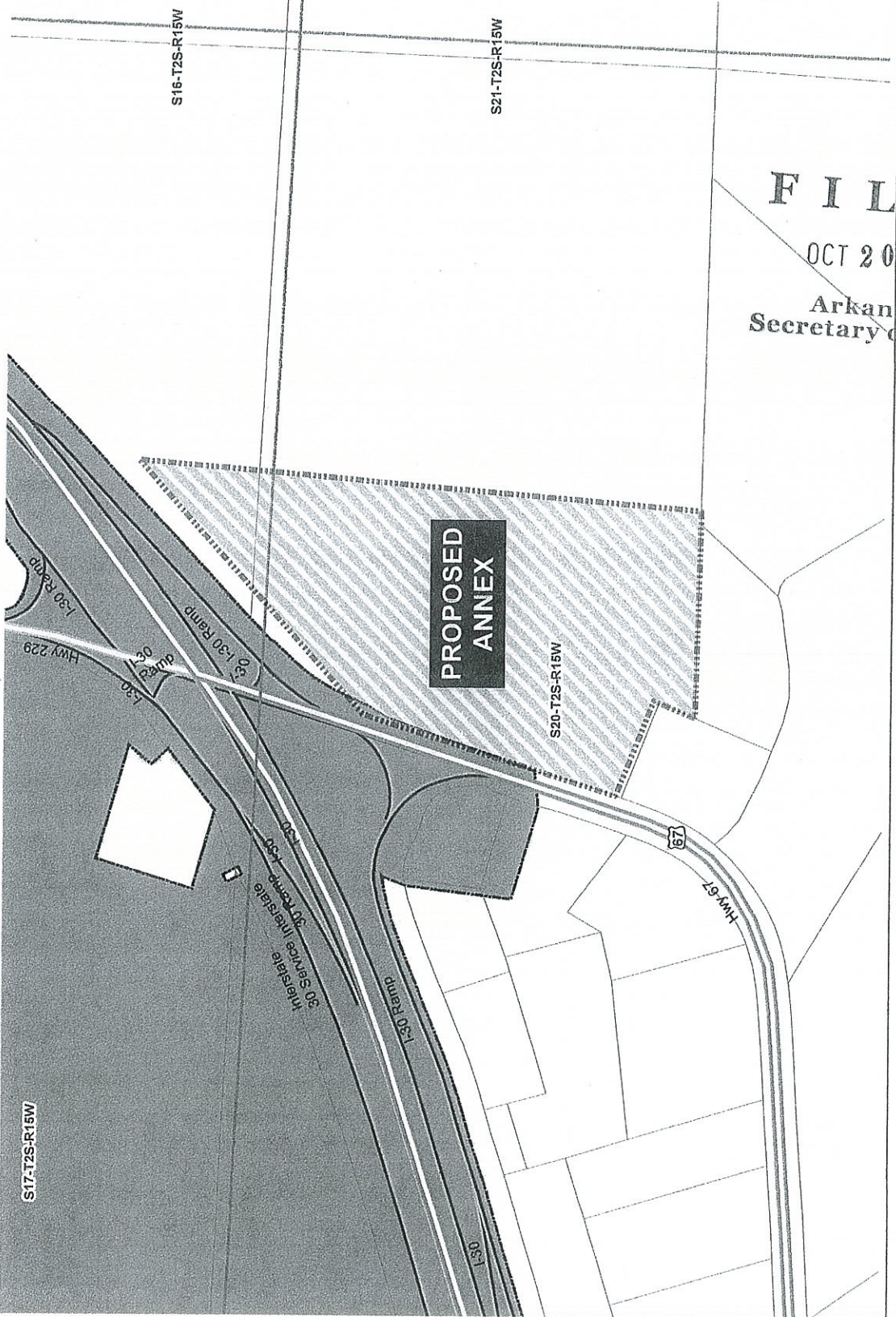
Thank you,

Richie Pierce, Sr. GIS Analyst  
/rp

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

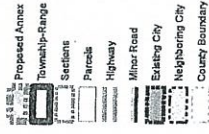
Proposed Annex: City of Benton  
July 2016

City: Benton  
Mayor: Dave Mattingly



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, or detachment areas.

The map contained herein is evidence, the entity has met requirements of Act 914 of 2015



ARKANSAS  
GIS OFFICE

Benton-20160720

**FILED**  
OCT 20 2016  
Arkansas  
Secretary of State

**BOB RAMSEY**

FILED  
SALINE COUNTY  
2016 JUL 25 AM 10:32  
*Saline County Assessor*

July 25, 2016

BY AL

RE: In the Matter of Annexation of Certain Territory Contiguous to the City of Benton, Arkansas

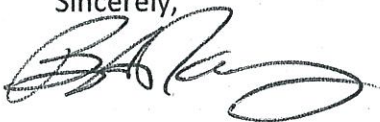
Judge Arey,

In accordance with Arkansas Code Annotated §14-40-609 (Act 991 of 2015), I have:

- A) Verified the identify of Petitioner in the above referenced matter;
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- D) Verified that no enclaves will be created if the petition is accepted by the City of Benton.

If you have any questions, or need anything further, please do not hesitate to contact me.

Sincerely,



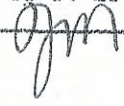
Bob Ramsey  
Saline County Assessor



IN THE COUNTY COURT OF SALINE COUNTY, ARKANSAS  
NO. CC 2016-5

IN THE MATTER OF ANNEXATION OF CERTAIN  
TERRITORY CONTIGUOUS TO THE CITY OF BENTON, ARKANSAS

FILED  
SALINE COUNTY  
PROBATE & COUNTY CLERK  
07/26/16 13:14:26

BY 

DECREE OF ANNEXATION

Comes for hearing the Petition of Duke Family Limited Partnership, LLP, who is the one hundred percent (100%) property owner of portions of Section 20 and Section 17, Township 2 South, Range 15 West, asking that the following territory be annexed to the City of Benton, Saline County, Arkansas, to-wit:

LEGAL DESCRIPTION, SEE ATTACHED EXHIBIT "A"

The area to be annexed is to include all adjacent and abutting public streets and rights of way.

After hearing the evidence, the Court finds:

1. That the Petition for Annexation is attested by the property owner;
2. That the boundaries of said territory have been accurately described within the petition;
3. That said land is adjacent and contiguous to the City of Benton, Saline County, Arkansas and provides for contiguity of access;
4. That said petition contained all required verifications and is complete and accurate;
5. That no enclaves will be created by the annexation;
6. That said petition contains a schedule of services; and
7. That said petition should be granted and the territory as above described should be annexed to the City of Benton, Saline County, Arkansas, and become part of said City.

THEREFORE the Court hereby ORDERS, JUDGES, and DECREES that the lands described above are hereby annexed to and made part of the City of Benton, Saline County, Arkansas. The Court hereby orders that the original papers in this cause be delivered to the Clerk of Saline County, Arkansas, and the Clerk, after properly recording and filing the original papers, prepare transcripts of same; that one of the certified transcripts be delivered to the City of Benton, Arkansas, one copy to the Arkansas Secretary of State and one copy to the Director of the Tax Division of the Arkansas Public Service Commission.

  
\_\_\_\_\_  
Jeff Arvey, Saline County Judge

7/26/2016  
\_\_\_\_\_  
Date

F I L E D

OCT 20 2016

Arkansas  
Secretary of State

EXHIBIT A

PROPERTY DESCRIPTION AS SURVEYED

THAT PART OF THE NORTH HALF OF SECTION 20 AND THAT PART OF THE SOUTHEAST QUARTER OF SECTION 17, ALL IN TOWNSHIP 2 SOUTH, RANGE 15 WEST, SALINE COUNTY, ARKANSAS, DESCRIBED AS FOLLOWS:

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FILED  
THIS 3<sup>RD</sup> DAY OF October 2016  
SALINE COUNTY, AR  
COUNTY & PROBATE CLERK  
D.C. A.A.

CLERK'S CERTIFICATE

STATE OF ARKANSAS) ) ss  
COUNTY OF SALINE )

I, Cindy Stracener, City Clerk of the City of Benton, hereby certify that the attached and foregoing is a true and correct copy of Ordinance 46 of 2016 and the same appears on file, and of record, in my office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the corporation seal of said City, this 3rd day of September 2016.

Cindy Stracener  
Cindy Stracener, City Clerk

Seal