



ARKANSAS SECRETARY OF STATE

MARK MARTIN

May 29, 2018

The Honorable Doug Curtis
Saline County Clerk
215 N. Main St, #9
Benton, AR 72015

Re: City of Benton Annexation Ordinance 20 of 2018

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 (petition by 100% of the landowners)

Effective Date: 04/23/2018 (emergency clause)

County: Saline

City: Benton

City Ordinance: 20 of 2018

Dated: 04/23/2018

County Court Order: CC-2018-3

Filed 03/09/2018

Hon. Jeff Arey, Saline County Judge

A file marked copy of the ordinance, court order and exhibits submitted to our Office are enclosed. By copy of this letter (and its enclosures), the Secretary of State hereby notifies the appropriate mapping authorities for Arkansas. Please retain these copies as official record of the filing of the municipal 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. Cindy Stracener, Benton City Clerk (w/encl)



Arkansas Secretary of State

Mark Martin

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

Municipal Boundary Change Checklist

HP

County: Saline City/Town: Benton

City Ordinance/Resolution No: 20 of 2018 Date approved: April 23, 2018

County Court Case No: CC - 2018-3 Date Order Filed: 03/09/2018

Type: 14-40-609 100% of landowners

(Choose from the list of Arkansas Code Sections located on the back)

Date Change Effective: 4-23-18 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)*

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: Cindy Stocener Title: City Clerk

Street Address: 114 South East St

City: Benton St: AR Zip code: 72015

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: Holly Davis Title: Deputy Clerk

Date: 4-30-2018

Pursuant to Act 655 of 2017, County Officials must submit a file-marked copy of municipal boundary change documents within 30 days of receipt to: Arkansas Secretary of State, Attn: Municipal Boundary Filing, 500 Woodlane Ave Suite 256, Little Rock, AR 72201-1094

Office of the Arkansas Secretary of State use only

Received by: Cynthia Fisher

FILED

MAY 29 2018

**Arkansas
Secretary of State**

ORDINANCE NO. 20 OF 2018

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, Mark L. Dunn Revocable Trust, who owns one hundred percent of certain property within Saline County which is adjacent to the Benton city limits, filed a petition with the Saline County Court requesting that it be allowed to annex into the City; and

WHEREAS, on the 9th day of March, 2018 in case number CC 2018-3, 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:

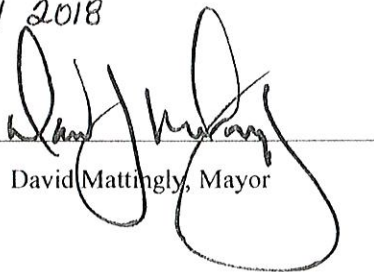
Section 1: The property hereinafter described be annexed and made a part of the City of Benton, Saline County, Arkansas, and being described as follows, to wit:

“SEE EXHIBIT 1”


Section 2: Said property shall be zoned as R2 and will be added to Ward 3 of the City of Benton

Section 3: Because of the need to accept the property in this annexation which will be of benefit to the local community and tax base of the City, an emergency is hereby declared and this ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED this 23 day of April 2018



David Mattingly, Mayor



Cindy Stracener, City Clerk

Cindy Stracener, City Clerk

FILED

MAY 29 2018

**Arkansas
Secretary of State**

Exhibit 1

SURVEY DESCRIPTION. (TRACT C)

THAT PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER, SECTION 27, T-1-S, R-15-W, SALINE COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT 2" ALUMINUM CAP MARKING THE SOUTHWEST CORNER OF SAID SECTION 27, THENCE NORTH $02^{\circ}15'26''$ EAST (GRID BEARING), ALONG THE WEST LINE THEREOF A DISTANCE OF 673.60 FEET; THENCE SOUTH $87^{\circ}12'19''$ EAST, A DISTANCE OF 219.32 FEET TO A 5/8" REBAR ON THE EAST RIGHT OF WAY LINE OF MCGEE ROAD FOR THE POINT OF BEGINNING; THENCE SOUTH $87^{\circ}12'19''$ EAST, A DISTANCE OF 317.21 FEET TO 1/2" REBAR; THENCE SOUTH $87^{\circ}23'17''$ EAST, A DISTANCE OF 17.47 FEET TO A 1/2" REBAR; THENCE SOUTH $67^{\circ}25'15''$ WEST, A DISTANCE OF 332.36 FEET TO A 3/4" REBAR AT FENCE POST ON SAID EAST RIGHT OF WAY; THENCE NORTH $10^{\circ}46'51''$ WEST, A DISTANCE OF 146.46 FEET TO THE POINT OF BEGINNING, CONTAINING 0.55 ACRES, MORE OR LESS.

4230

McGee

Road

CLERK'S CERTIFICATE

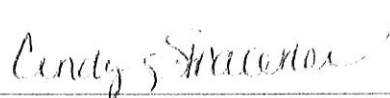
STATE OF ARKANSAS)

) ss

COUNTY OF SALINE)

I, Cindy Stracener, City Clerk of the City of Benton, hereby certify that the attached and foregoing is a true, full and correct copy of Ordinance 20 of 2018 adopted at a regular scheduled meeting of the Benton City Council held April 23, 2018; 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 30th day of April 2018.



Cindy Stracener, City Clerk

Seal

Proposed Annex: City of Benton
March 2018

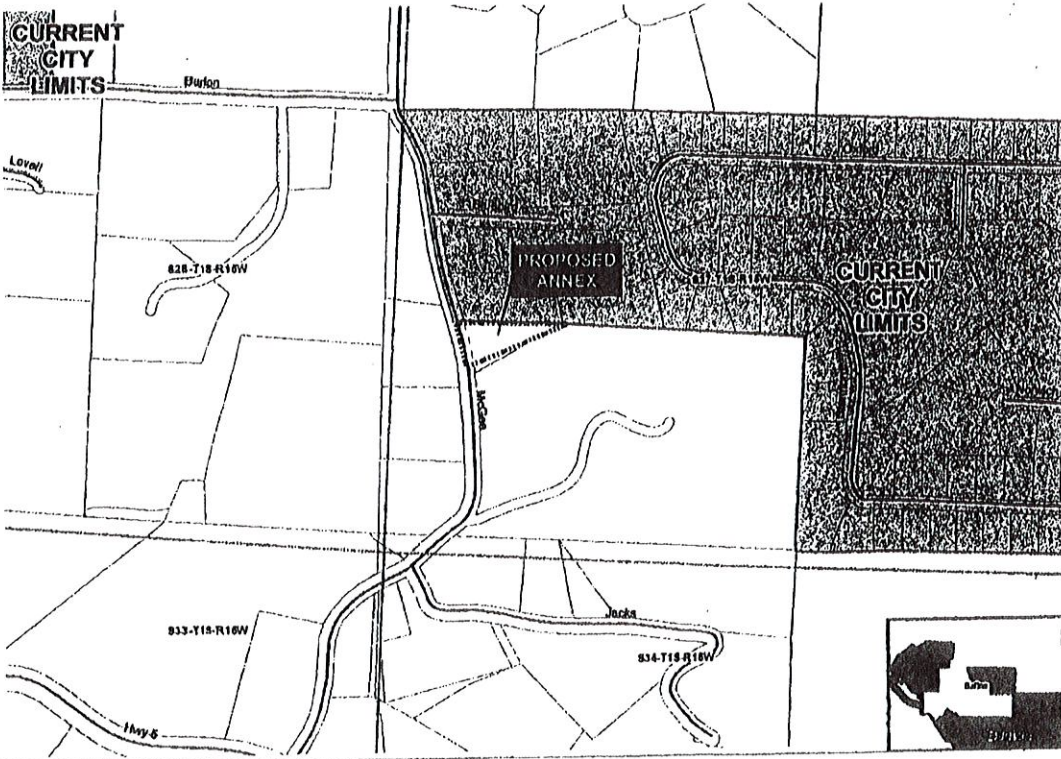
City: Benton
Mayor: Dave Mallingy

Arkansas Code 14-10-101.

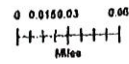
Before an entity undertakes an annexation, consolidation, or detachment proceeding under this chapter, the entity shall coordinate with the Arkansas Geographic Information Systems Office for preparation of legal descriptions and digital mapping for the relevant annexation, consolidation, and detachment areas.

The map contained herein, if evidence, the entity has met requirements of Act 914 of 2010.

CURRENT CITY LIMITS



- Proposed Annex
- Current City Limits
- Private
- Water Road
- Existing City
- Neighboring City



ARKANSAS GIS OFFICE

\\SCity_Annexation\GIS\Bent\Map\00180308

IN THE COUNTY COURT OF SALINE COUNTY, ARKANSAS
NO. CC 2018-3

FILED
SALINE COUNTY
COUNTY CLERK
2018 MAR -7 AM 9:16

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

**PETITION FOR ANNEXATION TO THE
CITY OF BENTON, ARKANSAS**

Petitioner, Mark L. Dunn Revocable trust, is owner of the real property described, to-wit:
, ISURVEY DESCRIPTION. (TRACT C) THAT PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER, SECTION 27, T-1-S, R-15-W, SALINE COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT 2" ALUMINUM CAP MARKING THE SOUTHWEST CORNER OF SAID SECTION 27, THENCE NORTH 02°15'26" EAST(GRID BEARING), ALONG THE WEST LINE THEREOF A DISTANCE OF 673.60 FEET; THENCE SOUTH 87°12'19" EAST, A DISTANCE OF 219.32 FEET TO A 5/8" REBAR ON THE EAST RIGHT OF WAY LINE OF MCGEE ROAD FOR THE POINT OF BEGINNING; THENCE SOUTH 87°12'19" EAST, A DISTANCE OF 317.21 FEET TO 1/2" REBAR; THENCE SOUTH 87°23'17" EAST, A DISTANCE OF 17.47 FEET TO A 1/2" REBAR; THENCE SOUTH 67°25'15" WEST, A DISTANCE OF 332.36 FEET TO A 3/4" REBAR AT FENCE POST ON SAID EAST RIGHT OF WAY; THENCE NORTH 10°46'51" WEST, A DISTANCE OF 146.46 FEET TO THE POINT OF BEGINNING, CONTAINING 0.55 ACRES, MORE OR LESS.

The undersigned further states that it is the one hundred percent (100%) owner of the property, that the property is contiguous to the City of Benton, Arkansas (the "City"), and that all of the property lies within Saline County, Arkansas. The undersigned petitions that the property be annexed to the City in accordance with Arkansas Code Annotated § 14-40-609 (Act 991 of 2015). The undersigned hereby authorizes Mark L. Dunn to act on behalf of the Petitioner in connection with this petition and the request for annexation to the City.

The following services shall be extended to the annexed area within three (3) years after the date the annexation becomes final:

- Sewer from septic system
- Water from Water Users
- Gas from Centerpoint

F I L E D

MAY 29 2018

**Arkansas
Secretary of State**

- Electric from First Electric
- Phone from Verizon cell phones

PETITIONER:

Mark L. Dunn Revocable Trust

Mark L. Dunn

By:

Mark L. Dunn / Organizer



**ARKANSAS
GIS OFFICE**

FILED
SALINE COUNTY
CLERK'S COUNTY CLERK
2018 MAR -7 AM 9:16

BY: AA

March 6, 2018

Mr. Mark Dunn
4320 McGee Road
Benton, AR 72019

RE: City of Benton Annexation Coordination Requirement

Mr. Dunn,

Thank you for coordinating with our office as you seek to annex property into the City of Benton, AR located in Section 27, Township 1 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 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
Legal Description
Secretary of State Municipal Change Checklist

F I L E D

MAY 29 2018

**Arkansas
Secretary of State**

H:\City_Annexations\Cities\Benton\20180306\Doc\20180306_Benton_Annexation_Coordination_Letter.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

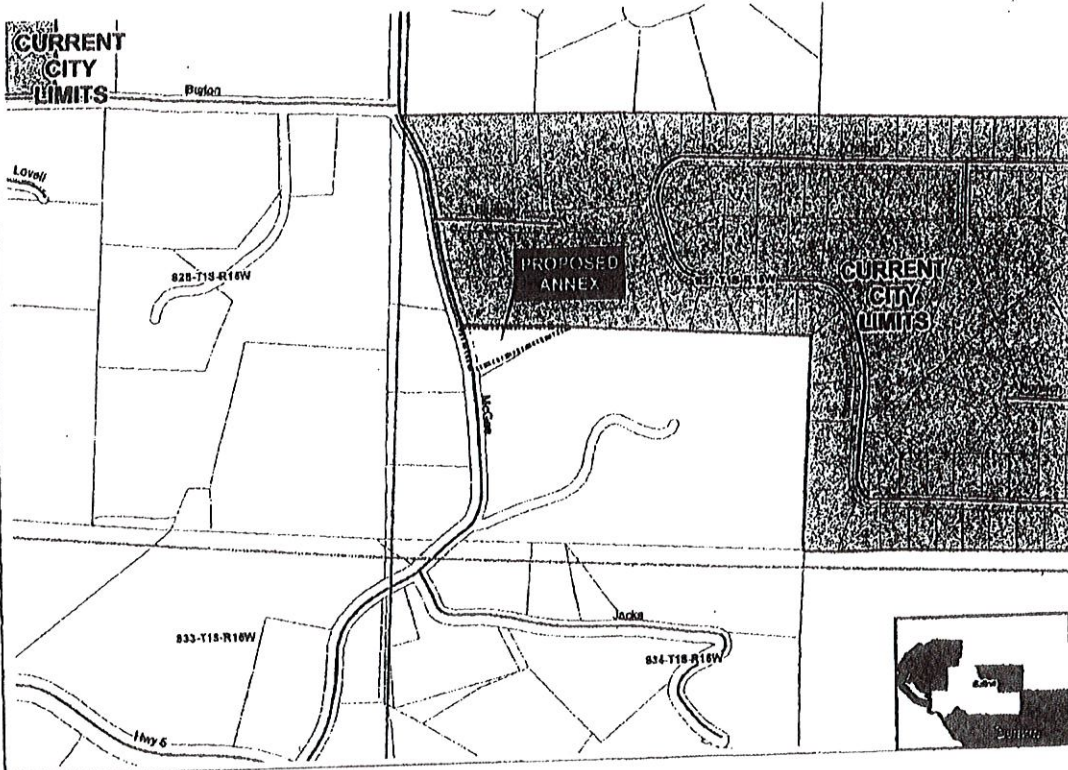
Proposed Annex: City of Benton
March 2018

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, and detachment areas.

The map contained herein, in evidence, the entity has met requirements of Act 914 of 2010.



FILED

MAY 29 2018

Arkansas
Secretary of State

FILED
SALINE COUNTY
CLERK OF COURT
2018 MAR 12 AM 9:31

IN THE MATTER OF ANNEXATION OF CERTAIN
TERRITORY CONTIGUOUS TO THE CITY OF BENTON, ARKANSAS BY _____ *HD*

DECREE OF ANNEXATION

Comes for hearing the Petition of Mark L. Dunn Revocable Trust, who is the one hundred percent (100%) property owner of portions of Section 27, Township 1 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 Arrey

Jeff Arrey, Saline County Judge

3-9-18

Date

F I L E D

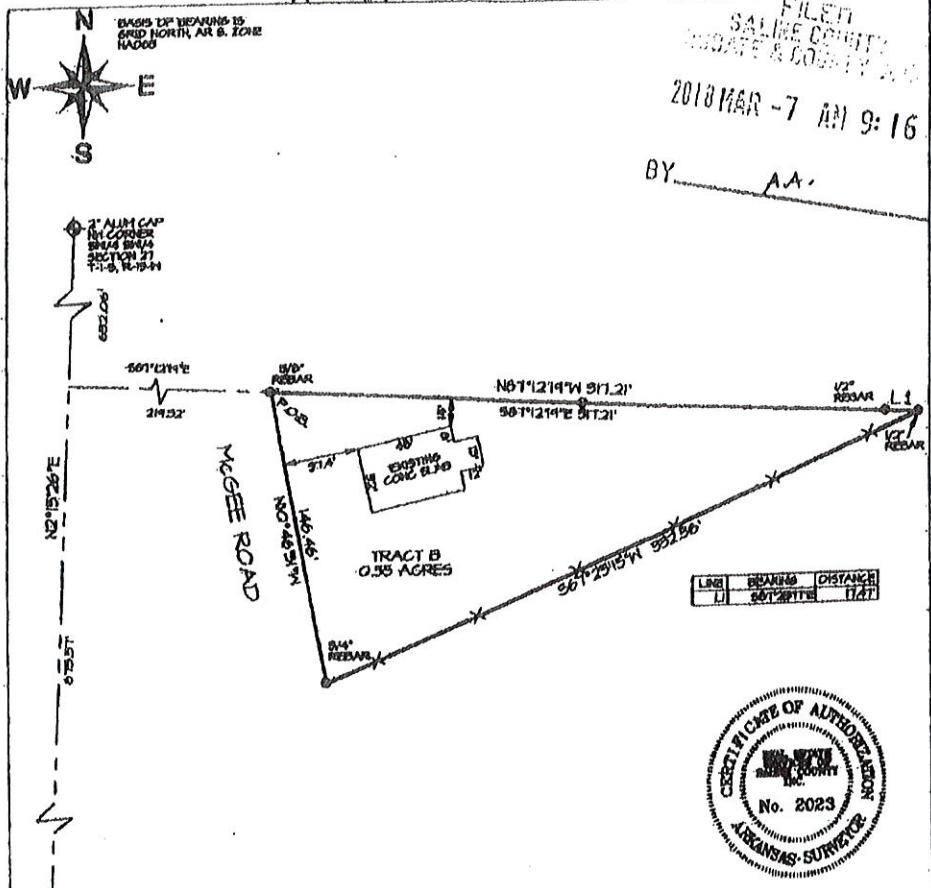
MAY 29 2018

**Arkansas
Secretary of State**

Parcel # 001-08630-000

FILED
SALINE COUNTY
REGISTRAR & COUNTY CLERK
2018 MAR -7 AM 9:16

BY AA



SURVEY DESCRIPTION (TRACT B)
 THAT PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER SECTION 21 T-1-S-R-5-14 SALINE COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT 2\"

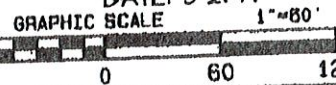
UNLESS SPECIFICALLY STATED OR SHOWN THIS BOUNDARY SURVEY IS MADE SUBJECT TO AND DOES NOT DELEGATE, BUILD OR REBACK LINES, ZONING REGULATIONS, RESTRICTIONS OR OTHER THINGS WHICH MAY AFFECT DEVELOPMENT. NO STATEMENT IS MADE CONCERNING SURFACE CONDITIONS OR THE EXISTENCE OF UNDERGROUND OR OVERHEAD CONDUITS OR FACILITIES UNLESS SPECIFICALLY SHOWN WHICH MAY AFFECT THE USE OR DEVELOPMENT OF THE TRACT. TRACT MAY BE SUBJECT TO EASEMENTS, RESTRICTIVE COVENANTS, EASEMENT RESTRICTIONS, AND PLANNING AND ZONING REGULATIONS OF RECORD, IF ANY, AND IS SUBJECT TO SUCH FACTS AS MIGHT BE DISCOVERED BY A CURRENT TITLE SEARCH. I HEREBY CERTIFY THAT THE ABOVE PLAT REPRESENTS A BOUNDARY SURVEY PERFORMED BY ME OR UNDER MY SUPERVISION ON THIS DAY.

LEGEND

- SET 1\"
- EXISTING MON.
- △ CALC. POINT
- FENCE

THIS DRAWING SHALL NOT BE ALTERED UNLESS AUTHORIZED BY REAL ESTATE SERVICES OF SALINE CO., INC.

DATE: 3-21-17



DRAWING NO. 004-17C	REAL ESTATE SERVICES OF SALINE COUNTY, INC. 501-313-0000	DRAWN BY
REVISIONS BY DATE		CHECKED BY
	FOR USE AND BENEFIT OF, MARK L. DUNN	APPROVED BY
	1200 FERGUSON DR., SUITE 3, BENTON, AR, 72015 5-00-015-15W-0-21-330-62-1141	

IN THE COUNTY COURT OF SALINE COUNTY, ARKANSAS
NO. CC 2018-3

FILED
SALINE COUNTY
CLERK'S OFFICE
2018 MAR 12 AM 9:31

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

BY AS

HD

DECREE OF ANNEXATION

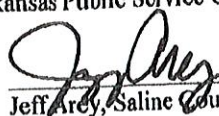
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Jeff Arey, Saline County Judge

3-9-18

Date

Doug Curtis
Saline County Clerk

FILED
SALINE COUNTY
CLERK & COUNTY

2018 MAR 12 AM 9:30

BY _____ *AD*

March 8, 2018

Re: In the Matter of Annexation of Certain Territory
Contiguous to the City of Benton, Arkansas
Saline County Court Case No. CC-2018-3

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,



Doug Curtis
County Clerk

BOB RAMSEY

FILED
SALINE COUNTY
CLERK'S OFFICE
Saline County Assessor
2018 MAR 12 AM 9:30

BY _____ 

March 8, 2018

Re: In the Matter of Annexation of Certain Territory
Contiguous to the City of Benton, Arkansas
Saline County Court Case No. CC-2018-3

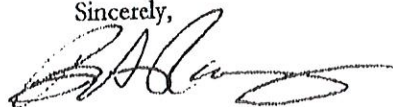
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- C) Verified that the property is contiguous with the City of Benton; and
- D) Verified that no enclaves will be created if the petition is accepted by the City of Benton.

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

Sincerely,



Saline County Courthouse ■ 215 North Main Street, Suite 7 ■ Benton, Arkansas 72015
1-501-303-5622 ■ 1-800-794-5800 ■ Fax: 1-501-303-5714
bob@salineassessor.org

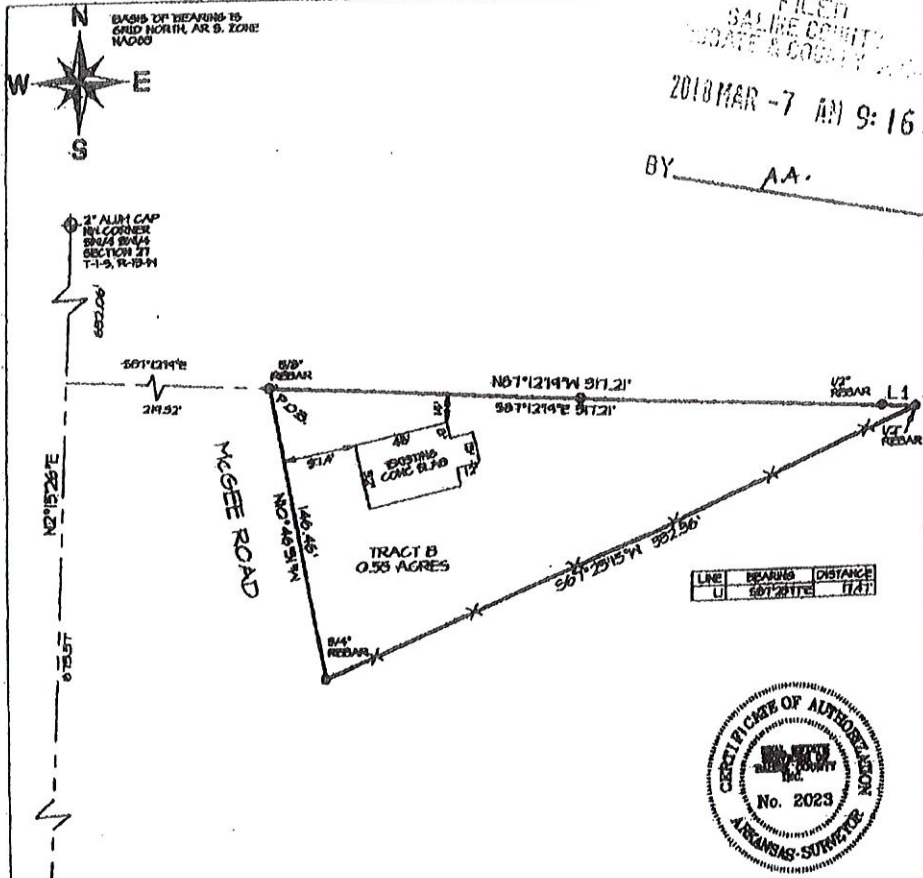
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EAST RIGHT OF WAY; THENCE NORTH 10°46'51" WEST, A DISTANCE OF 146.46
FEET TO THE POINT OF BEGINNING, CONTAINING 0.55 ACRES, MORE OR LESS.

Exhibit "A"

Parcel # 001-08630-000

FILED
SALINE COUNTY
CLERK'S OFFICE
2018 MAR -7 AM 9:16

BY AA



LINE	BEARING	DISTANCE	FT/AT
1	N07°12'19\"	317.21'	
2	S07°25'15\"	352.56'	
3	N07°12'19\"	317.21'	



SURVEY DESCRIPTION (TRACT B)
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UNLESS SPECIFICALLY STATED OR SHOWN THIS BOUNDARY SURVEY IS MADE SUBJECT TO AND DOES NOT DELIBERATELY BUILD UPON ANY ZONING REGULATIONS, RESTRICTIONS, OR OTHER DEEDS WHICH MAY AFFECT DEVELOPMENT. NO PROMISE IS MADE CONCERNING SUBSURFACE CONDITIONS OR THE EXISTENCE OF UNDERMINED OR OVERHEAD CONDUITS OR FACILITIES UNLESS SPECIFICALLY SHOWN WHICH MAY AFFECT THE USE OR DEVELOPMENT OF THE TRACT. TRACT MAY BE SUBJECT TO EASEMENTS, RESTRICTIVE COVENANTS, EASEMENT RESERVATIONS, AND PLANNING AND ZONING REGULATIONS OF RECORD, IF ANY, AND IS SUBJECT TO SUCH FACTS AS A CURRENT TITLE SEARCH MAY REVEAL. I HEREBY CERTIFY THAT THE ABOVE PLAT REPRESENTS A BOUNDARY SURVEY PERFORMED BY ME OR UNDER MY SUPERVISION ON THIS DAY.

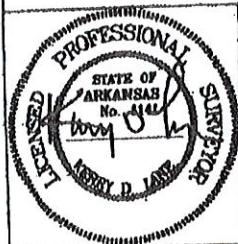
2\"

LEGEND

- SET #3 BARR/CAP
- EXISTING MON.
- △ CALC. POINT
- FENCE

THIS DRAWING SHALL NOT BE ALTERED UNLESS AUTHORIZED BY REAL ESTATE SERVICES OF SALINE CO., INC.

DATE: 3-21-17
 GRAPHIC SCALE 1\"



DRAWING NO. 004-17C	REAL ESTATE SERVICES OF SALINE COUNTY, INC. 501-513-0000 FOR USE AND BENEFIT OF: MARK L. DUNN	DRAWN BY
REVISIONS BY		CHECKED BY
DATE		APPROVED BY
1200 FERGUSON DR., SUITE 3, BENTON, AR, 72015 5-00-015-15W-0-21-930-62-1141		

SURVEY DESCRIPTION.

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