



ARKANSAS SECRETARY OF STATE

MARK MARTIN

June 27, 2018

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

Re: City of Benton Annexation Ordinance 24 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: 05/11//2018 (emergency clause)

County: Saline

City: Benton

City Ordinance: 24 of 2018

Dated: 05/11/2018

County Court Order: CC-2017-2

Filed: 05/17/2017

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

3:08

Municipal Boundary Change Checklist BY XLD

County: Saline City/Town: Benton

City Ordinance/Resolution No: 240, 2018 Date approved: 5-21-18

County Court Case No: CC 2017-2 Date Order Filed: 5-17-2018

Type: A.C.A. § 14-40-609 - Petition by 100% of Landowners
(Choose from the list of Arkansas Code Sections located on the back)

Date Change Effective: 5-21-18 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 Stracener Title: City Clerk
Street Address: 114 South East St
City: Benton AR 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: 5-25-2018

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

JUN 27 2018

Arkansas Secretary of State

FILED

2017 MAY 17 AM 9:16

BY *K*

Doug Curtis

Saline County Clerk

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

May 16, 2017

Re: In the Matter of Annexation of Certain Territory
Contiguous to the City of Benton, Arkansas
Saline County Court Case No. CC-2017-2

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

ORDINANCE NO. 24 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, ISHDAR, LLC, 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 17th day of May, 2017 in case number CC 2017-2, 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 ATTACHED EXHIBIT "A"

Section 2: Said property shall be zoned as C3 and will be added to Ward 2 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 21 day of May, 2018.


David Mattingly, Mayor


Cindy Stracener, City Clerk

F I L E D

JUN 27 2018

**Arkansas
Secretary of State**

IN THE COUNTY COURT OF SALINE COUNTY, ARKANSAS
NO. CC 2017-2

FILED
2017 MAY 17 AM 9:16

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

AK

DECREE OF ANNEXATION

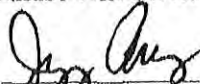
Comes for hearing the Petition of ISHDAR, LLC, who is the one hundred percent (100%) property owner of portions of Section 20, Township 2 South, Range 15 West, asking that the following territory be annexed to the City of Benton, Saline County, Arkansas, to-wit:

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 Arcey, Saline County Judge

5-17-2017

Date

F I L E D

JUN 27 2018

**Arkansas
Secretary of State**

CC# 2017-2



**ARKANSAS
GIS OFFICE**

May 12, 2017

Mr. Quentin E. May
Quentin E. May PLC
2725 Cantrell Road
Little Rock, AR 72202

FILED
CALOIE COUNTY
PROBATE - COUNTY CLERK
JUN 15 11 31 AM '18
BY PT.

RE: City of Benton Annexation Coordination Requirement

Mr. May,

Thank you for coordinating with our office as you seek to annex property into the City of Benton, AR. 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,

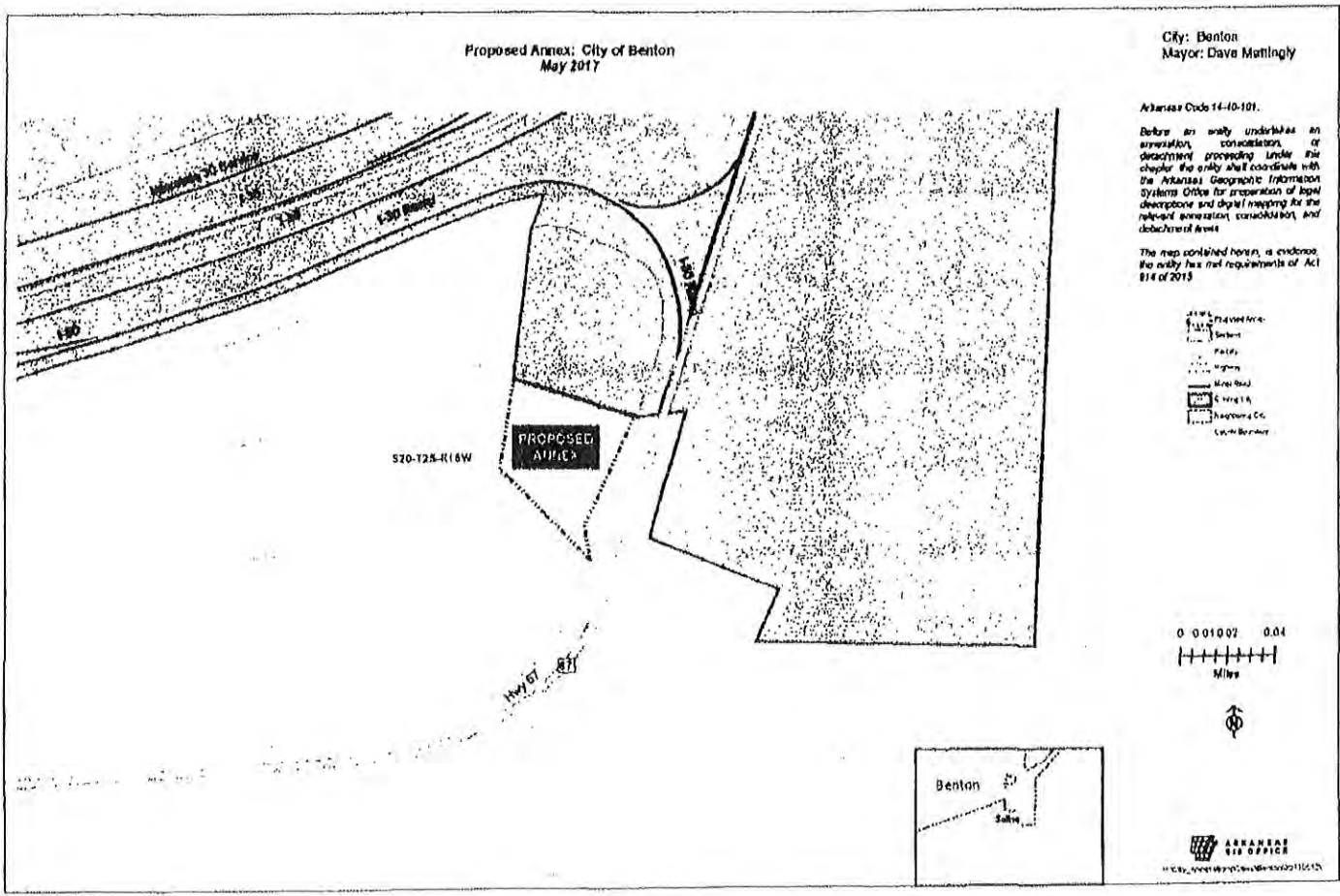
Jennifer Wheeler, GIS Analyst
/jjw

FILED
JUN 27 2018
Arkansas
Secretary of State

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

H:\City_Annexations\Cities\Benton\20170512\Doc\20170517_Benton_Annexation_Coordination_Letter.docx

CC 2017-2



FILED

JUN 27 2018

**Arkansas
Secretary of State**

IN THE COUNTY COURT OF SALINE COUNTY, ARKANSAS

CASE NO. 2017-2

SALINE COUNTY
CLERK OF COUNTY CLERK
COURT HOUSE
P. 7

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

PETITION FOR ANNEXATION TO THE CITY OF BENTON, ARKANSAS

Petitioner, ISHDAR, LLC, is the owner of the real property described in the attached Exhibit "A".

The undersigned further states that ISHDAR, LLC 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). ISHDAR, LLC authorizes its attorney, Quentin E. May, 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:

- (1) Sewer from Benton Utilities;
- (2) Water from Southwest Water Users Association;
- (3) Gas from CenterPoint Energy;
- (4) Electric from Entergy;
- (5) Phone from AT&T.

Respectfully Submitted,

QUENTIN E. MAY, PLC
300 Spring Street, Suite 500
Little Rock, Arkansas 72201
(501) 940-6440
Attorneys for Petitioner

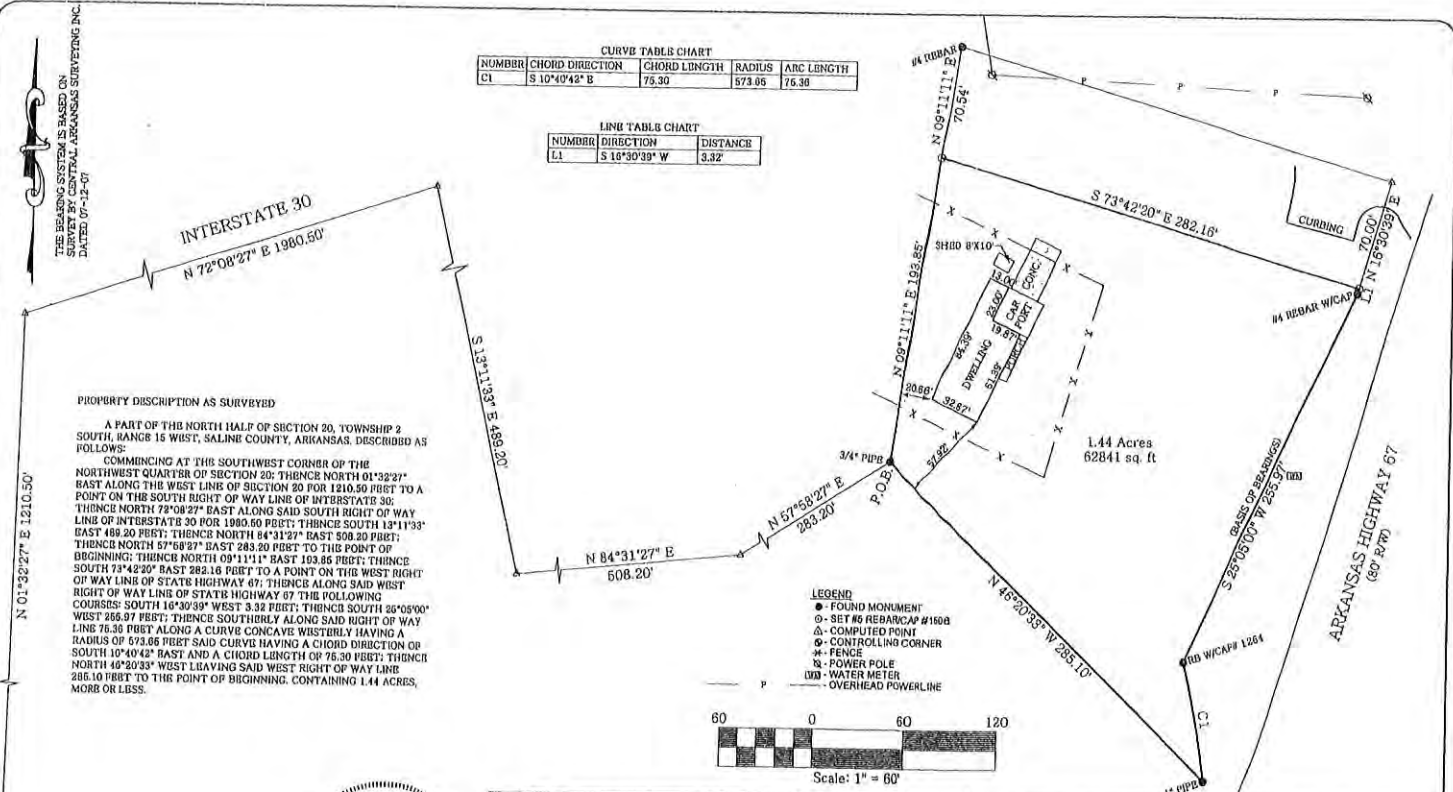
By: 
Quentin E. May, Ark. Bar No. 2006034

EXHIBIT "A"

THE BEARING SYSTEM IS BASED ON THE NATIONAL GRID SYSTEM FOR ARKANSAS SURVEYING INC. DATED 10-1-2007

NUMBR	CHORD DIRECTION	CHORD LENGTH	RADIUS	ARC LENGTH
C1	S 10°40'42" E	75.30	573.05	76.38

NUMBER	DIRECTION	DISTANCE
L1	S 18°30'39" W	5.32

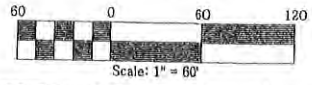


PROPERTY DESCRIPTION AS SURVEYED

A PART OF THE NORTH HALF OF SECTION 20, TOWNSHIP 2 SOUTH, RANGE 15 WEST, SALINE COUNTY, ARKANSAS, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 20; THENCE NORTH 01°32'27" EAST ALONG THE WEST LINE OF SECTION 20 FOR 1210.50 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF INTERSTATE 30; THENCE NORTH 72°08'27" EAST ALONG SAID SOUTH RIGHT OF WAY LINE OF INTERSTATE 30 FOR 1900.50 FEET; THENCE SOUTH 13°11'33" EAST 488.20 FEET; THENCE NORTH 84°31'27" EAST 508.20 FEET; THENCE NORTH 57°58'27" EAST 283.20 FEET TO THE POINT OF BEGINNING; THENCE NORTH 09°11'11" EAST 103.86 FEET; THENCE SOUTH 73°42'20" EAST 282.16 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF STATE HIGHWAY 67; THENCE ALONG SAID WEST RIGHT OF WAY LINE OF STATE HIGHWAY 67 THE FOLLOWING COURSES: SOUTH 16°30'39" WEST 3.32 FEET; THENCE SOUTH 20°09'00" WEST 265.37 FEET; THENCE SOUTHERLY ALONG SAID RIGHT OF WAY LINE 76.38 FEET ALONG A CURVE CONCAVE WESTERLY HAVING A RADIUS OF 573.05 FEET SAID CURVE HAVING A CHORD DIRECTION OF SOUTH 10°40'42" EAST AND A CHORD LENGTH OF 75.30 FEET; THENCE NORTH 49°20'39" WEST LEAVING SAID WEST RIGHT OF WAY LINE 285.10 FEET TO THE POINT OF BEGINNING, CONTAINING 1.44 ACRES, MORE OR LESS.

- LEGEND**
- - FOUND MONUMENT
 - - SET 1/8" REBAR CAP #150A
 - △ - COMPUTED POINT
 - ⊙ - CONTROLLING CORNER
 - +— FENCE
 - ⊕ - POWER POLE
 - ⊕ - WATER METER
 - P — OVERHEAD POWERLINE

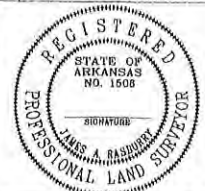


RASBURY SURVEYING

309 W. South Street
Benton, AR 72016
Office/Fax: (601) 860-8893
E-Mail: aron@resurvey.com

I hereby certify that the above plat represents a survey made by me on this day, and all easements, encroachments, and improvements disclosed by this survey are shown. No independent search for easements, covenants, encumbrances, or any other facts which an accurate title search may disclose was performed.

FOR USE AND BENEFIT OF:
ISHVER GOVIND
AND
SALINE COUNTY ABSTRACT & GUARANTY COMPANY, INC.
PROPERTY ADDRESS:
4754 HIGHWAY 67
BENTON, AR, 72016



FILE: C:\DRAWINGS\23-16\MS 2010\GOVIND
STATE CODE: 600-028-16W-0-20-104-62-1608

DATE: 08-24-16
DRAWN BY: OCR
JOB#: 239-10
CHECKED BY: JAR

SW CORNER
NW 1/4
SECTION 20
T-2-S, R-16-W

BOB RAMSEY

2017 MAY 17 AM 9:16
BY AR
Saline County Assessor

May 16, 2017

Re: In the Matter of Annexation of Certain Territory
Contiguous to the City of Benton, Arkansas
Saline County Court Case No. CC-2017-2

Judge Arcy,

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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- 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,



CITY OF BENTON
COMMUNITY DEVELOPMENT DEPARTMENT

Tim Tennant
Director
Phone: (501) 776-5938
Email: ttennant@bentonar.org



114 South East Street
Benton, Arkansas 72015
Fax: (501) 776-5922
Web: www.bentonar.org

April 9, 2018

ISHDAR, LLC
Attn: Mr. Ishver Govind
4919 Katillus Court
Little Rock, Arkansas 72223

RE: 4754 Highway 67

Mr. Govind:

On May 15, 2017, a Petition for Annexation of the referenced property was filed on behalf of ISHDAR, LLC by Quentin May, PLC with the Saline County Clerk, Jeff Arey, Saline County Judge, signed a Decree of Annexation on May 17, 2017, that released the property to be annexed into the City of Benton. Since the property has been released from the county, and is being served by Benton sewer, your property will be brought before the next Community Service committee (May 1, 2018) and a petition of annexation will be requested. If the committee approves the request, then an Ordinance to annex your property will be brought before City Council on Monday, May 7, 2018. You or a designated representative are welcome to attend the committee meeting if you wish to discuss the annexation further.

As you may be aware, the sewer rate ordinance for Benton provides that your sewer rates are much higher because your property is outside the city limits. This is true of anyone obtaining sewer services whose property is outside the city. Annexing into the city will have several benefits for you. The sewer rates mentioned above will be lowered to what other businesses of the city are paying. Additionally, you will receive police and fire protection from the city. This should have a positive effect on the cost of your insurance. The city presently has an ISO rating of 2 with its fire department. A lower ISO rating than what you presently have should lower your insurance premiums. Also, I understand there is a growing trend with insurance carriers to rate insurance based upon zip codes, with those areas which are inside a city receiving a more favorable rating. Please verify what affect this will have with your insurance carrier. The annexation process will be explained in more detail at the meeting. I look forward to hearing from you.

Sincerely,

Tim S. Tennant
Community Development Director

CC: Quentin E. May, PLC

SENDER: COMPLETE THIS SECTION

- 1 Complete Items 1, 2, and 3.
- 2 Print your name and address on the reverse so that we can return the card to you.
- 3 Attach this card to the back of the mailpiece, or on the front if space permits.

Article Addressed to:
ESHOAR, LLC
Ms. Ishwer Govind
4919 Kattillus Court
Little Rock, AR 72223



9590 9402 2432 6249 8339 94

Article Number (Transfer from service label)

008 1140 0003 1435 6195

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X

B. Received by (Printed Name) C. Date
ISHWER M. GOVIND **4/9/18**

D. Is delivery address different from Item 1?
 If YES, enter delivery address below:

3. Service Type
- Adult Signature
 - Adult Signature Restricted Delivery
 - Certified Mail®
 - Certified Mail Restricted Delivery
 - Collect on Delivery
 - Collect on Delivery Restricted Delivery
 - Insured Mail
 - Insured Mail Restricted Delivery (over \$500)
 - Priority Mail
 - Registered
 - Registered Delivery
 - Return Receipt Merchandise
 - Signature Required
 - Signature Restricted

Domestic Ret

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Certified Mail Only, Not for Registered Mail or Registered Mail®)

Postage	0.47	4/9/18 Postmark Here
Certified Fee	3.35	
Basic Receipt Fee (Endorsement Required)	2.75	
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$6.67	

Post to:
 Recipient Name: **Mr. Ishwer Govind**
 Street, Apt. No. or PO Box No.: **4919 Kattillus Ct.**
 City, State, ZIP+4: **Little Rock, AR 72223**