



# ARKANSAS SECRETARY OF STATE

MARK MARTIN

October 20 2016

The Honorable Tena O'Brien  
Benton County Clerk  
215 E Central Ave, Suite 217  
Bentonville, AR 72712-5304

Re: City of Bentonville Annexation Ordinance 2016-126

Dear Ms. O'Brien,

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 by petition pursuant to A.C.A § 14-40-609 (petition by 100% of the land owners)  
Effective Date: unknown  
County: Benton City: Bentonville  
City Ordinance: 2016-126 Dated: 09/27/2016  
County Court Order: CC-2016-14 Filed: 09/16/2016 Hon. Robert Clinard, County Judge, Benton County

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)  
UALR Institution for Economic Advancement (w/encl)  
Tom-Tom (w/encl)  
Honorable Bob McMaslin, Mayor of Bentonville, (w/encl)





# Arkansas Secretary of State

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

## Municipal Boundary Change Checklist

County: Benton City/Town: Bentenville

City Ordinance/Resolution No: 2016-126 Date approved: 9-27-16

County Court Case No: CC-2016-14 Date of Order: 9-16-16

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

Date Change Effective: \_\_\_\_\_ 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: Bob McCaslin Title: Mayor

Street Address: 117 W. Central Ave

City: Bentenville St: AR Zip code: 72712

### City/County Official:

Signature: T. Underwood Title: Deputy 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, Atten: Municipal Boundary Filing, 500 Woodlane Ave, Little Rock, AR 72201-1094

Office of the Arkansas Secretary of State use only

Received by: Cynthia Fisher

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

FILED

2016 SEP 30 AM 9: 12

TERA S'BRIEN  
CL. & PROBATE CLERK  
BENTON COUNTY ARK

CC 2016-14

**ORDINANCE NO. 2016-126**

**AN ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF BENTONVILLE, ARKANSAS, AND MAKING SAME A PART OF THE CITY OF BENTONVILLE, AND ASSIGNING SAME TO WARDS.**

WHEREAS, petition was filed with the County Clerk of Benton County, Arkansas by **Van and Leola Jacobs**, owner(s) of the hereinafter described territory, praying that said territory be annexed to, and made a part of the City of Bentonville, Arkansas, and

WHEREAS, on the 16<sup>th</sup> day of September, 2016, the County Court of Benton County, Arkansas, found that the petition was signed by the owners of said territory; that said territory was contiguous and adjoining the present corporate limits of the City of Bentonville, Arkansas; that an accurate plat or map of said territory had been filed with, and made a part of said petition; that proper notice had been given for the time and in the manner prescribed by law, and that all things pertaining thereto had been done in the manner prescribed by law, and that said lands and territory should be annexed to and a part of the City of Bentonville, Arkansas, subject to the acceptance of same by the City Council of said City at the proper time, as provided by law; and

WHEREAS, the time fixed by law for appealing from said order of annexation made by the County Court has expired and no appeal has been taken from said order.

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

**Section 1.** That the lands described on the attached Exhibit A is territory contiguous to and adjoining the City of Bentonville, Arkansas be and the same is hereby accepted as part of and annexed to and made a part of the City of Bentonville.

**Section 2.** That the above described territory shall be annexed to and made a part of

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Arkansas  
Secretary of State

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TENA D'BBREN  
CLERK & PROBATE CLERK  
BENTON COUNTY, ARK.

Ward 1 of the City of Bentonville, and the same shall henceforth be a part of said ward as fully as existing parts of said ward.

**Section 3.** That the above described territory shall be zoned A-1, to be used in accordance with City zoning laws and the laws of the State of Arkansas.

PASSED AND APPROVED THIS 27th DAY OF September, 2016.

APPROVED:



Mayor

ATTEST: Linda Spence  
Clerk

2016 4260

2016 SEP 30 AM 9: 12

TERA O'BRIEN  
CL. & PROBATE CLERK  
BENTON COUNTY, ARK

**Jacobs Annexation  
Exhibit 'A'**

Part of the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 20, Township 20N, Range 30W, Benton County Arkansas and more particularly described as follows:

Beginning at the SW Corner of said SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ .

Thence N 01° 38' 25" W, 539.50';  
Thence S 89° 00' 30" E, 1163.18;  
Thence North, 200';  
Thence N 89° 55' 10" E, 163.44';  
Thence S 00° 51' 28" E, 366.47;  
Thence S 89° 00' 15" W, 660';  
Thence S00°51'28"E, 330';  
Thence S89°00'15"W, 661.63' to the point of beginning.

**AND**

The South 100' of the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 20, Township 20N, Range 30W, Benton County, Arkansas.

**AND**

The North 230' of the East  $\frac{1}{2}$  of the South 10 Acres of the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ , Section 20, Township 20N, Range 30W, Benton County, Arkansas.

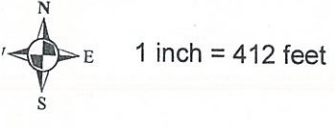
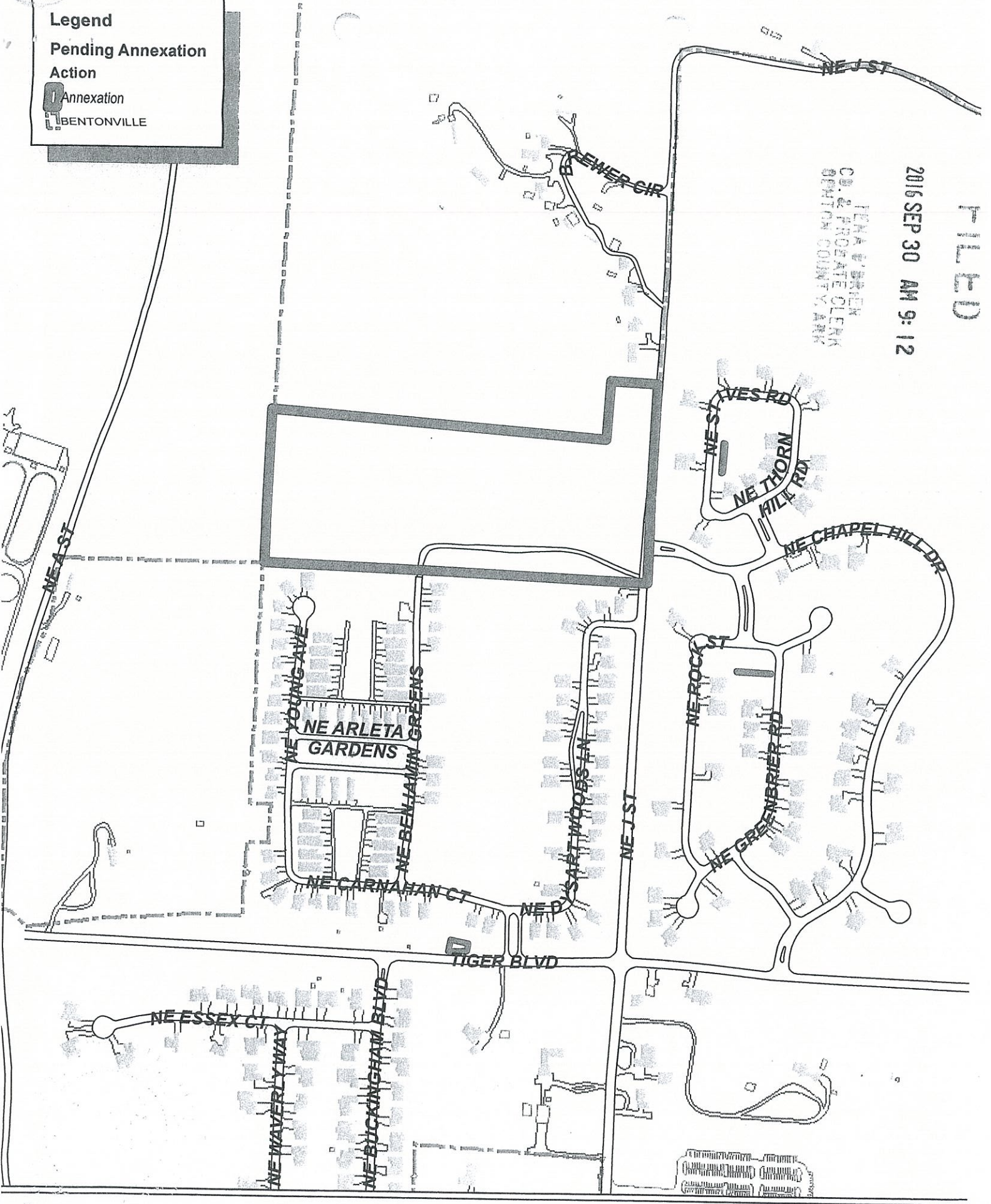
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2016 SEP 30 AM 9:12

JENA W. BARNER  
CO. & PROBATE CLERK  
BENTON COUNTY, ARK.

**Legend**

- Pending Annexation
- Action
- Annexation
- BENTONVILLE



CC 2016.14  
 Jacobs Proposed Annexation  
 2016 1000



FILED

2016 SEP 16 PM 12: 18

TENA O'BRIEN  
CO. & PROBATE CLERK  
BENTON COUNTY, ARK

IN THE MATTER OF ANNEXING TO THE CITY OF  
BENTONVILLE, ARKANSAS CERTAIN TERRITORY  
CONTIGUOUS TO SAID CITY OF BENTONVILLE, ARKANSAS

LEOLA & VAN JACOBS AND BOB McCASLIN  
PETITIONER(S)


COUNTY COURT NO. CC 2016-14

ORDER AUTHORIZING ANNEXATION PURSUANT TO ACA § 14-40-609

I, Robert Clinard, County Judge of Benton County, having reviewed the attached petition for annexation and verification of petition, hereby find:

- (1) That the petition and verifications are complete and accurate;
- (2) That no enclaves will be created by the proposed annexation; and
- (3) That the petition contains a schedule of services.

The County Clerk is directed to forward a copy of this order and the related Petition to the Mayor of the City of Bentonville.

  
\_\_\_\_\_  
HON. ROBERT CLINARD, County Judge

Date 9/14/16  
\_\_\_\_\_



FILED

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Arkansas  
Secretary of State

2016 3978

FILED

2016 SEP 13 AM 9:14

TENA O'BRIEN  
CO. & PROBATE CLERK  
BENTON COUNTY, ARK

IN THE MATTER OF ANNEXING TO THE  
CITY OF BENTONVILLE, ARKANSAS  
CERTAIN TERRITORY CONTIGUOUS TO SAID  
CITY OF BENTONVILLE, ARKANSAS

LEOLA & VAN JACOBS, BOB McCASLIN

PETITIONERS

CC 2016-14

VERIFICATION OF PETITION FOR ANNEXATION PURSUANT TO ACA § 14-40-609

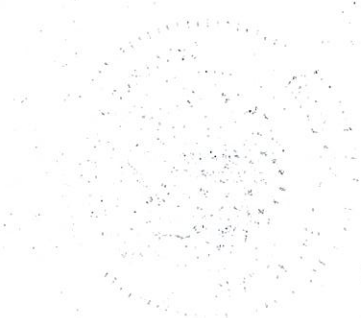
We, Tena O'Brien, County Clerk of Benton County, and Linda Hambrick, County Assessor of Benton County, attest as follows:

Our offices have received the attached petition seeking annexation. The petition has been reviewed and we hereby verify that:

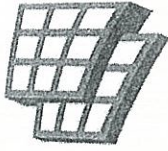
- (A) the identity of the petitioner or petitioners has been confirmed;
- (B) there are no property owners included in the petition that do not wish to have their property annexed;
- (C) the property described in the petition is contiguous with the City of Bentonville, and
- (D) no enclaves will be created if the petition is accepted by the City of Bentonville.

  
\_\_\_\_\_  
HON. TENA O'BRIEN, County Clerk

  
\_\_\_\_\_  
HON. LINDA HAMBRICK, County Assessor







ARKANSAS  
GIS OFFICE

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2016 SEP 23 PM 2:26

TENA O'BRIEN  
CO. & PROBATE CLERK  
BENTON COUNTY, ARK

September 23, 2016

Mrs. Tiffany Underwood  
Benton County Clerk's Office  
215 E. Central Ave.  
Bentonville, AR 72712

RE: City of Bentonville Annexation Coordination Requirement

Mrs. Underwood,

Thank you for coordinating with our office as you seek to annex property into the City of Bentonville, AR case number CC2016-14. 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

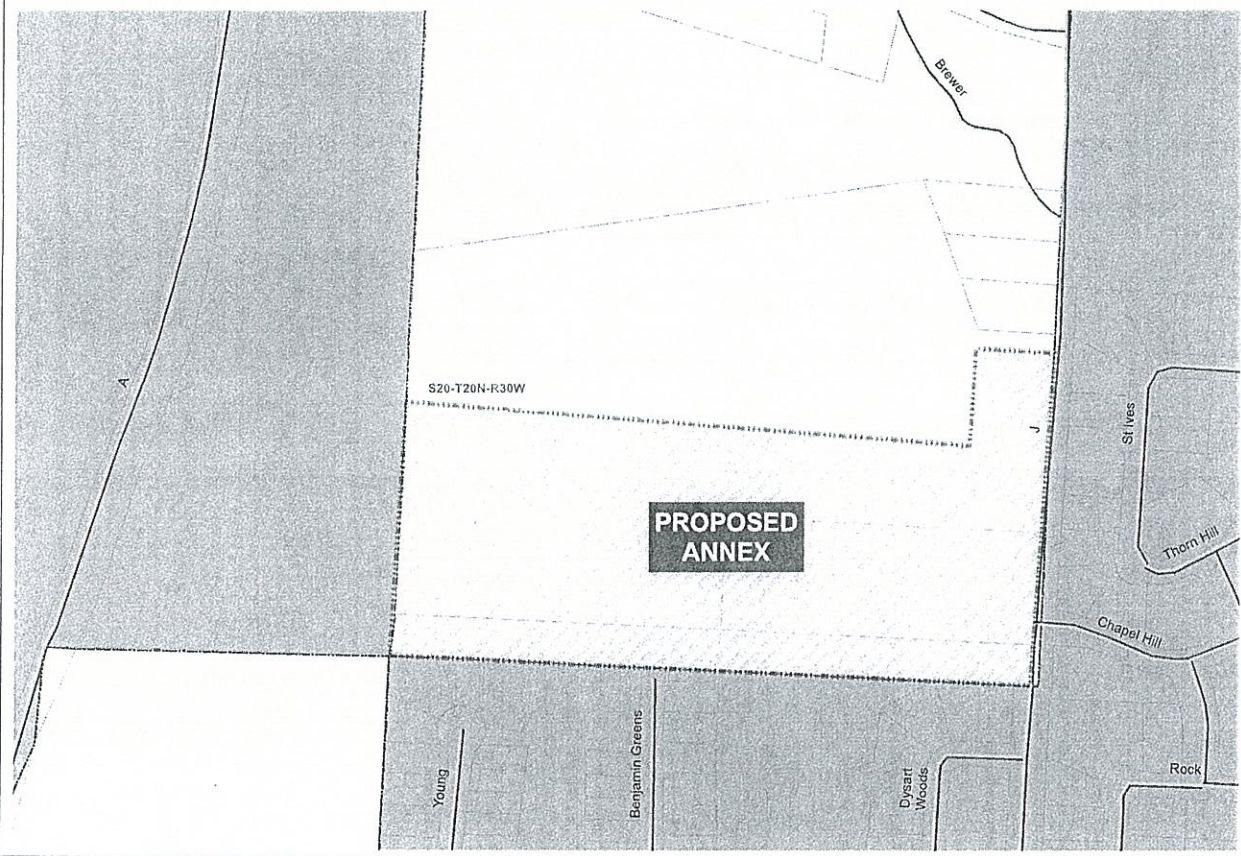
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2016 SEP 23 PM 2: 26

TENA O'BRIEN  
CO. & PROBATE CLERK  
BENTON COUNTY, ARK

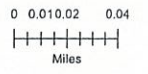
Proposed Annex: City of Bentonville  
September 2016

City: Bentonville  
Mayor: Bob McCaslin

Arkansas Code 14-40-101.  
Before an entity undertakes an annexation, consolidation, or detachment proceeding under this chapter, the entity shall coordinate with the Arkansas Geographic Information Systems Office for preparation of legal descriptions and digital mapping for the relevant annexation, consolidation, and detachment areas.  
The map contained herein, is evidence, the entity has met requirements of Act 914 of 2015



- Proposed Annex
- Township-Range
- Sections
- Parcels
- Highway
- Minor Road
- Existing City
- Neighboring City
- County Boundary



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Bentonville-20160919

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2016 SEP 13 AM 9: 14

TEENA B'RIEN  
CLERK & PROBATE CLERK  
BENTON COUNTY, ARK



Date: September 27, 2016

Subject: Petition for Annexation (CC2016-14)

Parcel Numbers and owners:

Owners: Leola and Van Jacobs 18-07519-008 (1993-41308)

18-07519-012 (1999-42826) and City of Bentonville 15-84718-000

I have reviewed the subject petition for annexation of territory into the City of Bentonville, AR and find the following:

1. The property to be annexed is contiguous with the existing city boundary of Bentonville, AR.
2. The submitted description substantially conforms to the size and location of the property.
3. The submitted description closes mathematically and generally conforms to the deed(s) of record noted above.
4. The owners that signed the petition match the owners of record.
5. The proposed annexation does not create any enclaves.

Please contact me if you have any questions.

Michael D. Million  
Manager – Mapping Dept.  
Benton County Assessor's Office  
Phone: 479-271-1037, ext. 7004  
Email: michael.million@bentoncountyar.gov