



# ARKANSAS SECRETARY OF STATE

MARK MARTIN

December 13, 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 2016-155

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: 2016-155

Dated: 11/22/2016

County Court Order: CC-2016-26 Filed: 11/04/2016 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 McCaslin, Mayor of Bentonville, (w/encl)





Arkansas Secretary of State

Mark Martin

State Capitol 500 Woodlane Ave Suite 256 • Little Rock, AR 72201-1094

Municipal Boundary Change Form

County: Benton City/Town: Bentonville

City Ordinance/Resolution No: 2016-155 Date approved: 11-22-16

County Court Case No: CC 2016-26 Date of Order: 11-4-16

Filing Type: 100% Annexation

(List of municipal boundary changes with associated Arkansas Code sections reference on back)

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 McClashin Title: Mayor

Street Address: 117 W Central Ave

City: Bentonville St: AR Zip code: 72712

City/County Official:

Signature: Title: Deputy Clerk

Date: 11-29-16

(Submit form and supporting documents to Arkansas Secretary of State, 500 Woodlane Ave Suite 256, Little Rock, AR 72201-1094)

FILED

Office of the Arkansas Secretary of State use only

DEC 13 2016

Received by:

Arkansas Secretary of State

Please complete this form and attach it as a cover page to each ordinance and supporting document set

# BENTON COUNTY

STATE OF ARKANSAS

TENA O'BRIEN

COUNTY CLERK & VOTER REGISTRAR  
215 EAST CENTRAL, SUITE 217  
BENTONVILLE, AR 72712-5373

PROBATE COURT CLERK  
COURTHOUSE, 102 N.E. "A" STREET  
BENTONVILLE, AR 72712-5350

December 5, 2016

Honorable Mark Martin  
Secretary of State  
Room 256 State Capitol  
Little Rock, AR 72201-1094

RECEIVED

DEC 12 2016

Arkansas  
Secretary of State

Dear Secretary Martin:

RE: Aurora Partners, LLC, Thrilled Land Investments, LLC and Susan Norton  
City of Bentonville Annexation  
Benton County Court Case No. CC# 2016-26

Dear Secretary Martin:

In accordance with the law, I am enclosing a certified copy of each of the following:

1. Map (survey and vicinity map) of the affected area
2. Order Authorizing Annexation entered on November 4, 2016
3. Ordinance No. 2016-155 adopted on November 22<sup>nd</sup>, by the City of Bentonville

If you have any questions regarding this matter, please do not hesitate to call my office.

Sincerely,

*Tena O'Brien*

Tena O'Brien

By: *Tonderwood*

FILED

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Arkansas  
Secretary of State

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2016 NOV 23 AM 10:22

TENA D BRIEN  
CO & PROBATE CLERK  
BENTON COUNTY, AR

ORDINANCE NO. 2016-155

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 Susan Norton and Robert R. David, 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 4<sup>th</sup> day of November, 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 Ward 3 of the City of Bentonville, and the same shall henceforth be a part of said ward as fully as existing parts of said ward.

FILED

DEC 13 2016

Arkansas  
Secretary of State

2016 5216

FILED

**SURVEY DESCRIPTION 18-09127-001, 18-09127-002 & 18-09131-000**

2016 NOV 23 AM 10:22

A PART OF THE EAST HALF (E1/2) OF THE NORTHWEST QUARTER (NW1/4) AND A PART OF THE NORTH ONE QUARTER (N1/4) OF THE NORTHEAST QUARTER (NE1/4) OF THE SOUTHWEST QUARTER (SW1/4), ALL IN SECTION TWENTY-THREE (23), TOWNSHIP NINETEEN (19) NORTH, RANGE THIRTY-ONE (31) WEST, BENTON COUNTY, ARKANSAS, ALTOGETHER BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

CLERK  
BENTON COUNTY, AR

BEGINNING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER (NE1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF SAID SECTION TWENTY-THREE (23), SAID POINT BEING A SET COTTON SPINDLE IN MORNING STAR ROAD; THENCE N88°54'21"W 1058.93 FEET ALONG THE NORTH LINE OF SAID NORTH ONE QUARTER (N1/4) OF THE NORTHEAST QUARTER (NE1/4) OF THE SOUTHWEST QUARTER (SW1/4) TO A SET 1/2" IRON REBAR; THENCE S01°22'48"W 328.78 FEET TO A SET 1/2" IRON REBAR ON THE SOUTH LINE OF SAID NORTH ONE QUARTER (N1/4) OF THE NORTHEAST QUARTER (NE1/4) OF THE SOUTHWEST QUARTER (SW1/4); THENCE N88°53'21"W 264.82 FEET TO AN EXISTING IRON REBAR AT THE SOUTHWEST CORNER OF SAID NORTH ONE QUARTER (N1/4) OF THE NORTHEAST QUARTER (NE1/4) OF THE SOUTHWEST QUARTER (SW1/4); THENCE N01°20'24"E 328.70 FEET TO AN EXISTING RAILROAD SPIKE AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER (SE1/4) OF THE NORTHWEST QUARTER (NW1/4) OF SAID SECTION TWENTY-THREE (23); THENCE N01°10'02"E 1321.99 FEET TO AN EXISTING IRON REBAR AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER (SE1/4) OF THE NORTHWEST QUARTER (NW1/4) OF SAID SECTION TWENTY-THREE (23); THENCE N01°27'47"E 994.91 FEET ALONG THE WEST LINE OF THE NORTHEAST QUARTER (NE1/4) OF THE NORTHWEST QUARTER (NW1/4) OF SAID SECTION TWENTY-THREE (23) TO A SET 1/2" IRON REBAR; THENCE S88°51'03"E 1108.51 FEET TO A SET 1/2" IRON REBAR; THENCE S01°16'14"W 59.10 FEET TO A SET 1/2" IRON REBAR; THENCE S88°51'03"E 214.50 FEET TO A SET COTTON SPINDLE ON THE EAST BOUNDARY OF THE NORTHEAST QUARTER (NE1/4) OF THE NORTHWEST QUARTER (NW1/4) OF SAID SECTION TWENTY-THREE (23), SAID POINT BEING IN MORNING STAR ROAD; THENCE S01°16'14"W 940.50 FEET TO A SET COTTON SPINDLE AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER (SE1/4) OF THE NORTHWEST QUARTER (NW1/4) OF SAID SECTION TWENTY-THREE (23); THENCE S01°16'14"W 1316.02 FEET TO THE POINT OF BEGINNING, CONTAINING 78.16 ACRES, MORE OR LESS, BENTON COUNTY, ARKANSAS. THE ABOVE DESCRIBED 72.16 ACRE TRACT BEING SUBJECT TO THE RIGHT-OF-WAY OF MORNING STAR ROAD ALONG THE EAST BOUNDARY AND ANY OTHER EASEMENTS AND/OR RIGHTS-OF-WAY WHETHER OR NOT OF RECORD.

AND

A 30 FOOT WIDE UTILITY EASEMENT LYING IN PART OF THE SOUTHWEST QUARTER (SW1/4) OF THE NORTHWEST QUARTER (NW1/4) OF SECTION 23, TOWNSHIP 19 NORTH, RANGE 31 WEST, BENTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE NE CORNER OF THE SW1/4 OF THE NW1/4 OF SAID SECTION 23; THENCE S02°43'51"W 100.00 FEET TO THE POINT OF BEGINNING; THENCE S02°43'51"W 30.00 FEET; THENCE N87°16'09"W 130.00 FEET; THENCE N02°43'51"E 100.00 FEET; THENCE N87°16'09"W 1160.00 FEET; THENCE S02°43'51"W 218.16 FEET; THENCE N87°16'09"W 30.00 FEET; THENCE N02°43'51"E 248.16 FEET; THENCE S87°16'09"E 1220.00 FEET; THENCE S02°43'51"W 100.00 FEET; THENCE S87°16'09"E 100.00 FEET TO THE POINT OF BEGINNING, CONTAINING 49,144.89 SQUARE FEET OR 1.13 ACRES, MORE OR LESS.

FILED

2016 NOV 23 AM 10:22

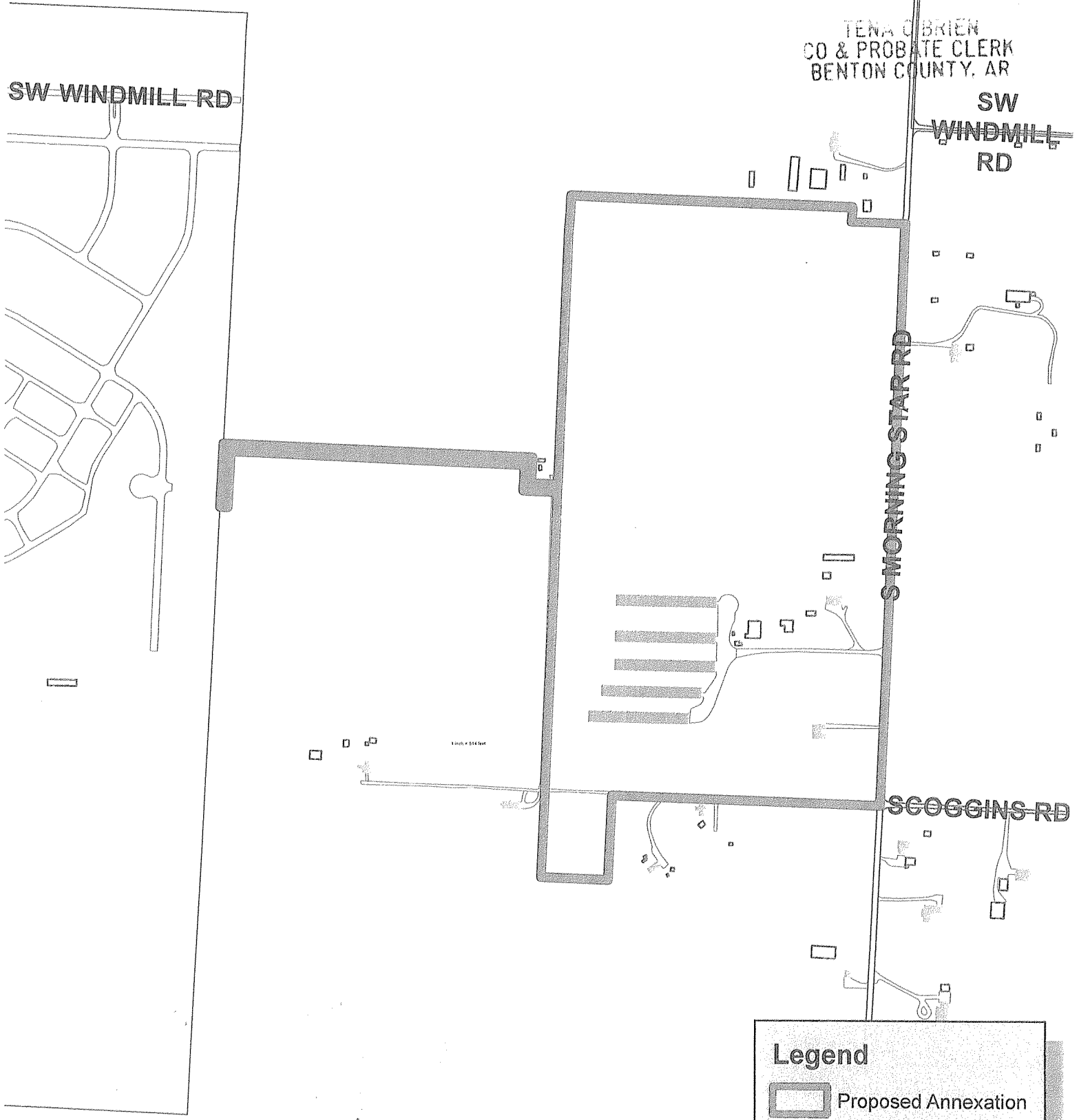
TENA O'BRIEN  
CO & PROBATE CLERK  
BENTON COUNTY, AR

SW WINDMILL RD

SW  
WINDMILL  
RD



S MORNING STAR RD

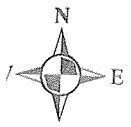
SCOGGINS RD



2016 5219

**Legend**

-  Proposed Annexation
-  BENTONVILLE



FILED

2016 DEC -2 AM 9:26



ARKANSAS  
GIS OFFICE

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

December 1, 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 CC2016-26. 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

City: Bentonville  
Mayor: Bob McCaslin

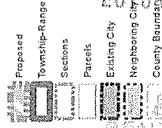
Arkansas Code 14-40-101.

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, in evidence, the entity has met requirements of Act 914 of 2015

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ARIZONA PROBATE CLERK  
BENTON COUNTY, ARK

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ARKANSAS  
GIS OFFICE  
Bentonville-20161201

Proposed Annex: City of Bentonville  
December 2016

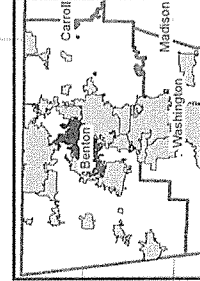
S14-T19N-R31W

PROPOSED  
ANNEX

S23-T19N-R31W

S15-T19N-R31W

S22-T19N-R31W



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