



ARKANSAS SECRETARY OF STATE

MARK MARTIN

February 7, 2017

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

Re: City of Bentonville Annexation Ordinance 2017-1

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

County Ordinance: 2017-1

Dated: 01/10/2017

County Court Order: CC-2016-48 Filed: 12/07/2016 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)
Ms. Linda Spence, Bentonville City Clerk (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: Bentenville

City Ordinance/Resolution No: 2017-01 Date approved: 1-10-17

County Court Case No: CC 2016-48 Date of Order: 12-7-16

Filing Type: 14-40-609

(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: Linda Spence Title: City Clerk

Street Address: 117 W Central Ave

City: Bentenville St: AR Zip code: 72712

City/County Official:

Signature: Title: Deputy County Clerk

Date: 1-17-17

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

Office of the Arkansas Secretary of State use only

Received by: Cynthia Fisher

FILED

FEB 07 2017

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

January 30, 2017

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

Dear Secretary Martin:

RE: Kyle & Melissa Sanders
City of Bentonville Annexation
Benton County Court Case No. CC# 2016-48

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 December 7, 2016
3. Ordinance No. 2017-01 adopted on January 10, 2017, 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

By: T. Underwood

COUNTY CLERK
(479) 271-1013
FAX (479) 271-1019

VOTER REGISTRAR
(479) 271-5704

BENTONVILLE
(479) 271-1013
FAX (479) 271-1019

SILOAM SPRINGS
(479) 238-0120
FAX (479) 524-8534

PROBATE COURT CLERK
(479) 271-5727
FAX (479) 271-1712

ROGERS
(479) 636-3727
FAX (479) 636-4922
ARCHIVIST (479) 636-1037
FAX (479) 636-1053

FILED

2017 JAN 12 AM 10:40

TERESA D BRIEN
CO & PROBATE CLERK
BENTON COUNTY, AR

ORDINANCE NO. 2017-1

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 Kyle and Melissa Sanders, 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 7th day of December, 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 2 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

FEB 07 2017

Arkansas
Secretary of State

2017 0285

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 10th DAY OF January, 2017.

APPROVED: Bob McCaslin
Mayor


ATTEST: Linda Spence
Clerk

GENA J. DENNEN
CO. & PROBATE CLERK
BENTON COUNTY, AR

2017 JAN 12 AM 10:40

FILED

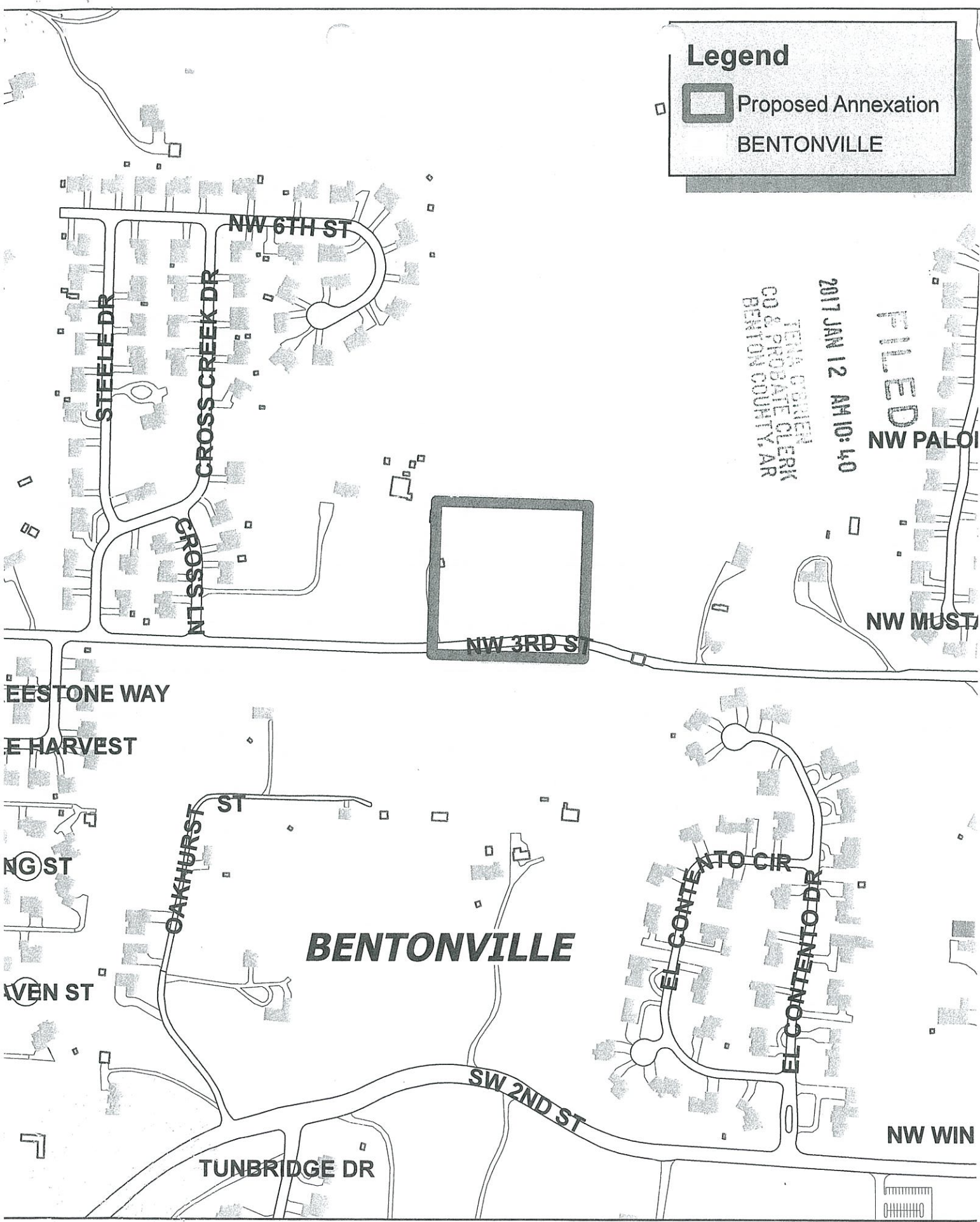
Legend

-  Proposed Annexation
- BENTONVILLE**

2017 JAN 12 AM 10:40
 TENA WOMEN
 CO & PROBATE CLERK
 BENTON COUNTY, AR

FILED
 NW PALO

NW MUST



2017 0287

1 inch = 333 feet

Annexation
 Kyle & Melissa Sanders
 4.00 Acres Total



FILED

2016 DEC -7 PM 12: 02

JAMES WALKER
CO. & PROBATE CLERK
BENTONVILLE, ARK.

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

KYLE & MELISSA SANDERS
PETITIONER(S)

COUNTY COURT NO. CC 2016-48

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

Dec 7, 2016
Date

FILED

FEB 07 2017

Arkansas
Secretary of State

2016 5289

FLED

2017 JAN 20 PM 12: 27



ARKANSAS
GIS OFFICE

TEMA PIERCE
CO. & CLERK
BENTONVILLE, AR

January 20, 2017

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 CC2016-48. 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.

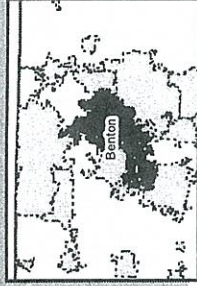
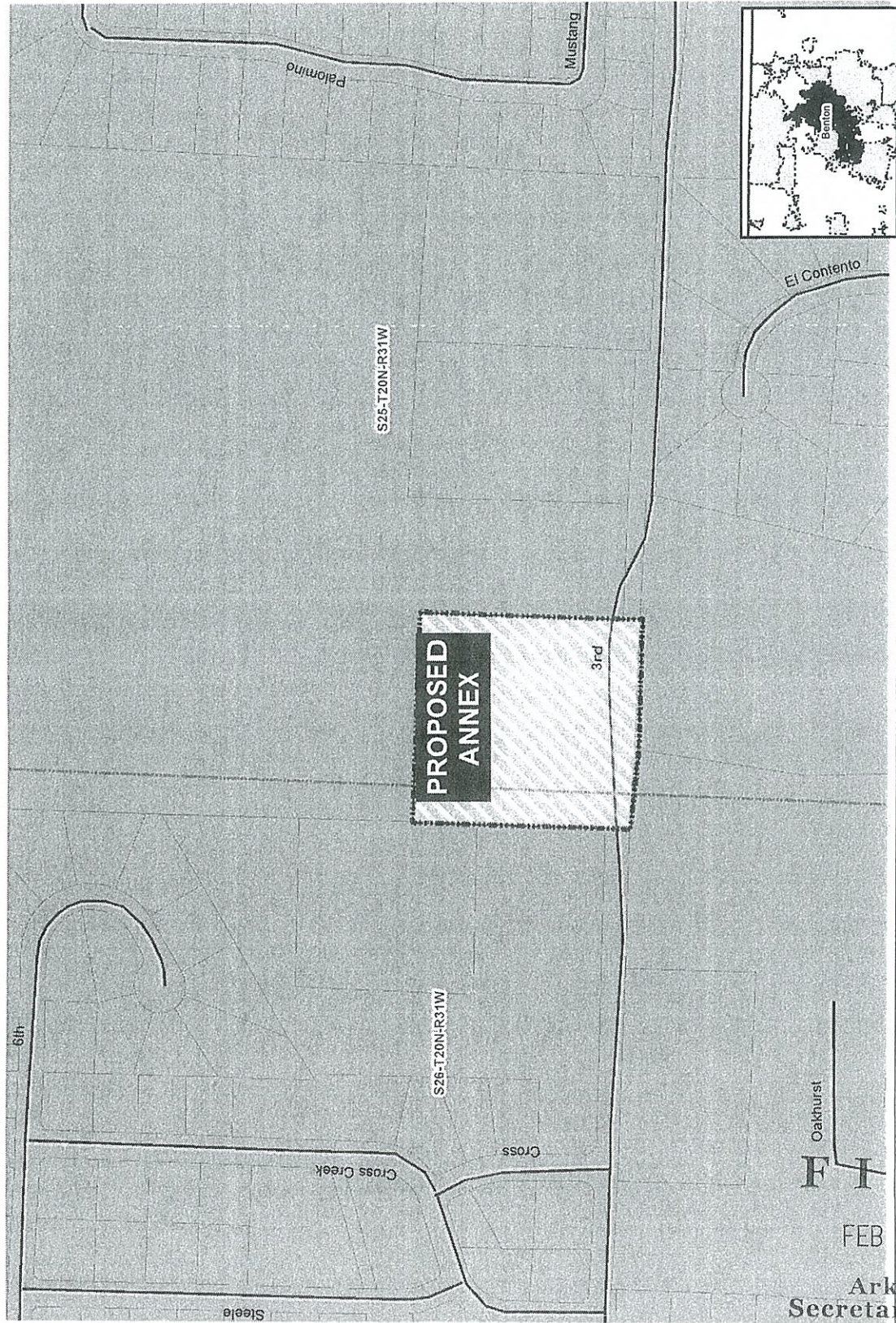
Thank you,

Richie Pierce, Sr. GIS Analyst
/rp

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

Proposed Annex: City of Bentonville
January 2017

City: Bentonville
Mayor: Bob McCaslin



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

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 Ar 914 of 2015

FILED
2017 JAN 20 PM 2:27
0 0.10.02
Miles



ARKANSAS
GIS OFFICE
Bentonville-20170117

FILED
FEB 07 2017
Arkansas
Secretary of State

FILED

2016 NOV 17 AM 10:42

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

IN THE COUNTY COURT OF BENTON COUNTY, ARKANSAS

IN THE MATTER OF ANNEXING TO
THE CITY OF BENTONVILLE,
ARKANSAS, CERTAIN PROPERTY
CONTIGUOUS TO SAID CITY IN
BENTON COUNTY, ARKANSAS

CASE NO. CC 2016-48

PETITIONER(S)

PETITION FOR ANNEXATION BY 100% PETITION

Comes now the undersigned petitioner(s), and state as follows:

1. That we, as property owners of the following described area, do hereby petition the County Court of Benton County, Arkansas, to annex the following lands to the City of Bentonville:

SEE ATTACHED LEGAL DESCRIPTION

2. We further state that this petition is signed by 100% of the real estate owners owning the property described.

3. We do further by this Petition appoint Camille Thompson, Staff Attorney, City of Bentonville, to act on behalf of the petitioners herein in presenting this matter to the Court.

4. That said property described herein is contiguous to and adjoining the present city limits of the City of Bentonville, as shown by the attached by the attached map.

5. That a description of services to be provided is attached hereto.

6. That the petitioners request that the Court enter an Order granting this Petition and annexing the territory described herein.

WHEREFORE, petitioner(s) pray that the lands described herein be annexed to the City of Bentonville, Arkansas.

Petitioner(s)

Kyle Sanders



Melissa Sanders



Address:

403 NW 0 St.

Bentonville, AR 72712

And


Camille Thompson, City of Bentonville

Their Agent

2016 NOV 17 AM 10:43
TERA TURNER
CLERK
CO & PROBATE CLERK
BENTON COUNTY, AR

FILED

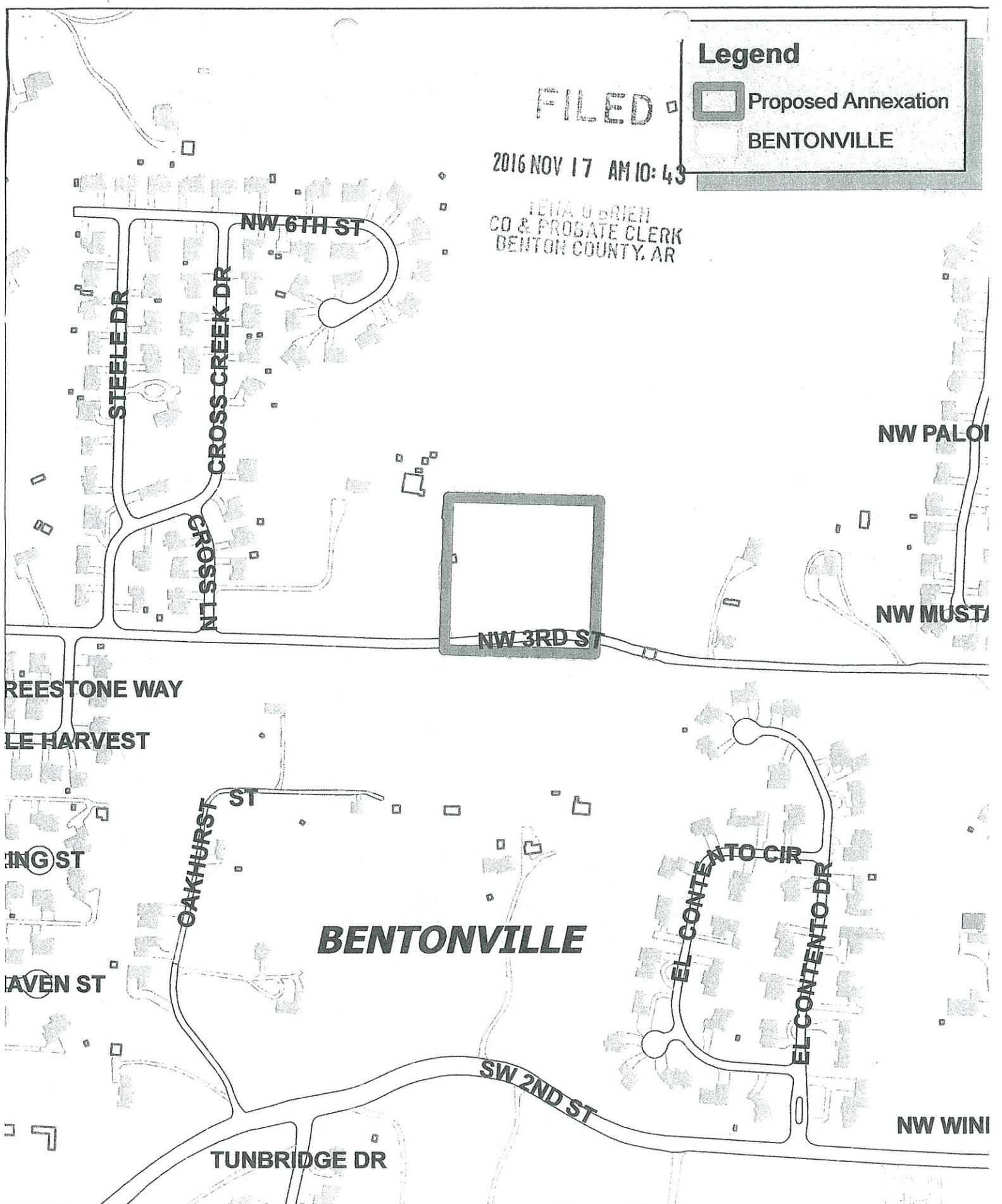
Legend

-  Proposed Annexation
- BENTONVILLE**

FILED

2016 NOV 17 AM 10:43

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



BENTONVILLE



1 inch = 222 feet

Annexation
 Kyle & Melissa Sanders
 4.00 Acres Total



Kyle & Melissa Sanders Annexation

Exhibit 'A'

Part of the NW ¼ of the SW ¼ of Section 25, Township 20N, Range 31W and more particularly described as follows:

Beginning at the SW Corner of said NW ¼ of the SW ¼;
Thence North 417.6';
Thence East 417.6';
Thence South 417.6';
Thence West 417.6' to the point of beginning.

FILED

2016 NOV 17 AM 10:43

JERRA O'BRIEN
CO. & PROBATE CLERK
BENTON COUNTY, AR

FILED

2016 DEC -5 PM 2: 57

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

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

KYLE & MELISSA SANDERS

PETITIONERS

CC 2016-48

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

FILED

FEB 07 2017

Arkansas
Secretary of State

FILED

2016 DEC -5 PM 2: 57

TERA SANDERSON
CO. & PROCLATE CLERK
BENTON COUNTY, ARK.



Date: November 21, 2016

Subject: Petition for Annexation (CC2016-48)
Parcel Number and owners:
Owners: Kyle and Melissa Sanders (2016-59395)
Parcel number: 18-09870-000

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 appears to eliminate an enclave. It is surrounded by City property on all sides.

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

FILED

Wanda DeShields
Circuit Clerk
Benton County, AR
Book/Pg: 2016/59395
e-Filed for Record
09/29/2016 2:40:58PM

2016 DEC -5 PM 2:58

TENA STORICH
CO. & PROBATE CLERK
BENTON COUNTY, ARK

=====

WARRANTY DEED

=====

KNOW ALL MEN BY THESE PRESENTS:

That JOYCE E. DEAN, TRUSTEE OF THE DEAN REVOCABLE TRUST DATED JULY 1, 2008, hereinafter called Grantor, pursuant to the powers and authority granted to said trustee under the terms of said trust agreement, for and in consideration of ten dollars (\$10.00) and other good and valuable consideration, in hand paid by KYLE SANDERS and MELISSA SANDERS, husband and wife, hereinafter called Grantees, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto the said Grantees, and unto their heirs and assigns forever, the following lands lying in Benton County, Arkansas, to-wit:

[LEGAL DESCRIPTION ATTACHED AS EXHIBIT "A"]

SUBJECT to existing easements, mineral reservations, conveyances and/or leases, and covenants and restrictions of record, if any.

TO HAVE AND TO HOLD the same unto the said Grantees, and unto their heirs and assigns forever, together with all improvements thereon and all rights, privileges and appurtenances thereunto belonging.

AND, Grantor hereby covenants with the said Grantees, their heirs and assigns, that Grantor will forever warrant and defend the title to said lands against all lawful claims whatsoever.

AND, for the consideration aforesaid, Grantor hereby releases and relinquishes unto the said Grantees, their heirs and assigns, all rights of dower, curtesy and homestead in said lands.

WITNESS my hand and seal on this 28 day of September, 2016.

Joyce Dean, Trustee
JOYCE E. DEAN, TRUSTEE

=====

I certify under penalty of false swearing that documentary stamps or a documentary symbol in the legally correct amount has been placed on this instrument.

Maxwell
Grantee/Grantee's Agent

RTC 16-37762R

FILED

Escrow File No.: 16-37762R

2016 DEC -5 PM 2: 58

EXHIBIT "A"

TEVA R. BROWN
CLERK OF PROBATE
BENTON COUNTY, ARK.

Part of the NW1/4 of the SW1/4 of Section 25, Township 20 North, Range 31 West, Benton County, Arkansas, described as follows: Beginning at the Southwest Corner of said 40 acres, run thence North 417.6 feet; thence East 417.6 feet; thence South 417.6 feet; thence West 417.6 feet to the Place of Beginning.

LESS AND EXCEPT: All that part deeded for right of way to the City of Bentonville, in Warranty deed filed for record July 28, 2016 in deed book 2016 at page 44842.

FILED

D-LO 150420 (7/6 at) 003

2016 DEC -5 PM 2: 58



STATE OF ARKANSAS
DEPARTMENT OF FINANCE AND ADMINISTRATION
MISCELLANEOUS TAX SECTION
P.O. BOX 896, LITTLE ROCK, AR 72203-0896

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

Real Estate Transfer Tax Stamp

Proof of Tax Paid



File Number: 16-37762R

Grantee:
Mailing Address: KYLE SANDERS
403 NW O ST
BENTONVILLE AR 727120000

Grantor:
Mailing Address: TRUSTEE OF THE DEAN REVOCABLE TRUST, DATED JULY 1, 2008
216 SW E STREET
BENTONVILLE AR 727120000

Property Purchase Price: \$300,000.00
Tax Amount: \$990.00

County: BENTON
Date Issued: 09/29/2016
Stamp ID: 1927974912

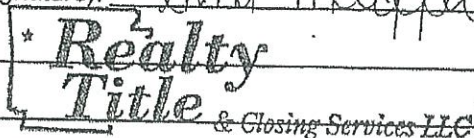
I certify under penalty of false swearing that documentary stamps or a documentary symbol in the legally correct amount has been placed on this instrument

Grantee or Agent Name (printed): Gina McCallister

Grantee or Agent Name (signature): *Gina McCallister* Date: 9-29-16

Address: _____

City/State/Zip: _____



3711 W. Walnut • Rogers, AR 72756
479-636-7766

FILED

2016 DEC -5 PM 2: 58

TENA MORRIS
CO. & PROBATE CLERK
BENTON COUNTY, ARK

Tran: 397682
Total Fees: \$30.00

Benton County, AR
I certify that this instrument was Electronically filed
on 09/29/2016 2:40:58PM
in DEED Book 2016 Pages 59395 - 59399
Brenda DeShields-Circuit Clerk

