



ARKANSAS SECRETARY OF STATE

MARK MARTIN

September 17, 2018

The Honorable Tena O'Brien
Benton County Clerk
215 East Central ST, Suite 217
Bentonville, AR 72712-5373

Re: City of Bentonville Annexation Ordinance 2018-117

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 pursuant to A.C.A § 14-40-609 (petition by 100% of the landowners)

Effective Date: 09/13/2018 (municipal ordinance)

County: Benton

City: Bentonville

City Ordinance: 2018-117

Dated: 08/14/2018

County Court Order: CC-2018-13

Date Filed: 07/13/2018

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)
Honorable Bob McCaslin, 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: Bentonville

City Ordinance/Resolution No: 2018-117 Date approved: 08/14/2018

County Court Case No: CC 2018-13 Date Order Filed: 07/13/2018

Type: Annexation by Petition of all Landowners A.C.A §14-40-609

Date Change Effective: 09/13/2018 Set by: Municipal Ordinance Emergency Clause Default
(Required by Act 653 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 island annexation)*
- Copy of Arkansas GIS Office 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: Bob McCaslin Title: Mayor

Street Address: 117 W Central Ave

City: Bentonville St: AR Zip code: 72712

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:  Title: Deputy Clerk

Date: 08/20/2018

Pursuant to Act 655 of 2017, County Officials must submit a file-marked copy of municipal boundary change documentation 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: 

FILED

SEP 17 2018

**Arkansas
Secretary of State**

BENTON COUNTY

STATE OF ARKANSAS

TENA O'BRIEN

COUNTY CLERK & VOTER REGISTRAR

215 EAST CENTRAL, SUITE 217
BENTONVILLE, AR 72712-5373

August 20, 2018

PROBATE COURT CLERK

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

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

RE: Brandon Bowen, et al
City of Bentonville Annexation
Benton County Court Case No. CC# 2018-13

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 July 13, 2018
3. Ordinance No. 2018-117 adopted on August 14, 2018, 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: *T. Underwood*

TO/tku
Enclosures

cc: Roderick Grieve
Benton County Assessor

NW Arkansas Regional Planning Commission
1311 Clayton Street
Springdale, AR 72765

Benton County 9-1-1 Administration

COUNTY CLERK (479) 271-1013 FAX (479) 271-1019	VOTER REGISTRAR (479) 271-5704	BENTONVILLE (479) 271-1013 FAX (479) 271-1019	SIL OAM 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
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FILED

2018 AUG 15 AM 9:41

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

ORDINANCE NO. 2018-117

AN ORDINANCE AMENDING ORDINANCE NO. 2018-108 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 **Brandon Bowen, James D. Cooper, and David G. Smith** praying that certain territory be annexed to, and made a part of the City of Bentonville, Arkansas, and

WHEREAS, on the 13th day of July, 2018, the County Court of Benton County, Arkansas, entered an order authorizing annexation pursuant to § 14-40-609 of the Arkansas Code, finding that the petition met the requirements for annexation under that provision and directed the Clerk to forward the order to the Mayor of the City of Bentonville; and

WHEREAS, the Council previously adopted Ordinance No. 2018-108 to accept the described annexation, but that ordinance was approved before the County Judge entered his Order approving the annexation.

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

Section 1. That the land described on the attached Exhibit "A," is territory contiguous to and adjoining the City of Bentonville, Arkansas, and the petition to annex that property is hereby granted and the property described in Exhibit "A" is hereby accepted as part of and annexed to and made a part of the City of Bentonville.

FILED

SEP 17 2018

Arkansas
Secretary of State

2018 2946

2018 AUG 15 AM 9:41

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.

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.

Section 4: That this ordinance shall become effective 30 days from its passage and approval.

PASSED AND APPROVED THIS 14th DAY OF August, 2018.

APPROVED: Bob McCaslin
HON. BOB McCASLIN, Mayor

ATTEST: Linda Spence
HON. LINDA SPENCE, City Clerk

2018 AUG 15 AM 9:41

TERRY STUBBS
C.D. & PRIVATE CLERK
BENTON COUNTY, AR**Exhibit "A"****Bowen/Cooper Annexation****Parcel 18-10087-000**

Part of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 34, Township 20N, Range 31W, Benton County, Arkansas, and more particularly described as follows.

Commencing 488.87' West and 718.60' South of the NE Corner of said NE $\frac{1}{4}$ of the NE $\frac{1}{4}$.
Thence South 150';
Thence N 87° 48' 38"W, 340.25';
Thence North 137';
Thence East 340' to the point of beginning.

Parcel 18-10087-006

Part of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 34, Township 20N, Range 31W, Benton County, Arkansas, and more particularly described as follows.

Commencing at the NW Corner of said NE $\frac{1}{4}$ of the NE $\frac{1}{4}$.
Thence S 87° 43' 52"E, 500.61';
Thence S 01 58' 56" W, 564.03' to the point of beginning.

Thence S 88° 01' 43" E, 503.65';
Thence S 36° 27' 30" E, 336.75';
Thence along a curve to the right having a radius of 392.41', a chord of S 77° 50' 14" W, 217.13', and an arc distance of 220';
Thence N 86° 6' 8" W, 162.11';
Thence N 1° 52' 00" E, 150';
Thence N 88° 16' 25" W, 340.14';
Thence N 1° 58' 56" E, 162.83' to the point of beginning.

Parcel 18-10087-004

Part of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 34, Township 20N, Range 31W, Benton County, Arkansas, and more particularly described as follows.

Commencing at the NW Corner of said NE $\frac{1}{4}$ of the NE $\frac{1}{4}$.
Thence S 87° 43' 52"E, 500.61' to the point of beginning.

FILED

2018 AUG 15 AM 9:41

TOMA STRICK
CO. & PRIVATE CLEAR
11/11/17 10:00 AM

Thence S 87° 43' 52" E, 353.06';
Thence S 01° 36' 54" E, 405.26';
Thence S 36° 27' 30" E, 201.34';
Thence N 88° 01' 43" W, 503.65';
Thence N 01° 58' 56" E, 564.03' to the point of beginning.

Parcel 18-09900-003

Part of the SE ¼ of the SE ¼ of Section 27, Township 20N, Range 31W, Benton County, Arkansas,
and more particularly described as follows.

Beginning at the SE Corner of said SE ¼ of the SE ¼.


Thence N02°24'32"E, 668.28';
Thence N87°41'25"W, 618.65';
Thence S01°51'22"W, 663.56';
Thence S87°14'48"E, 612.26' to the point of beginning.

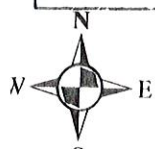
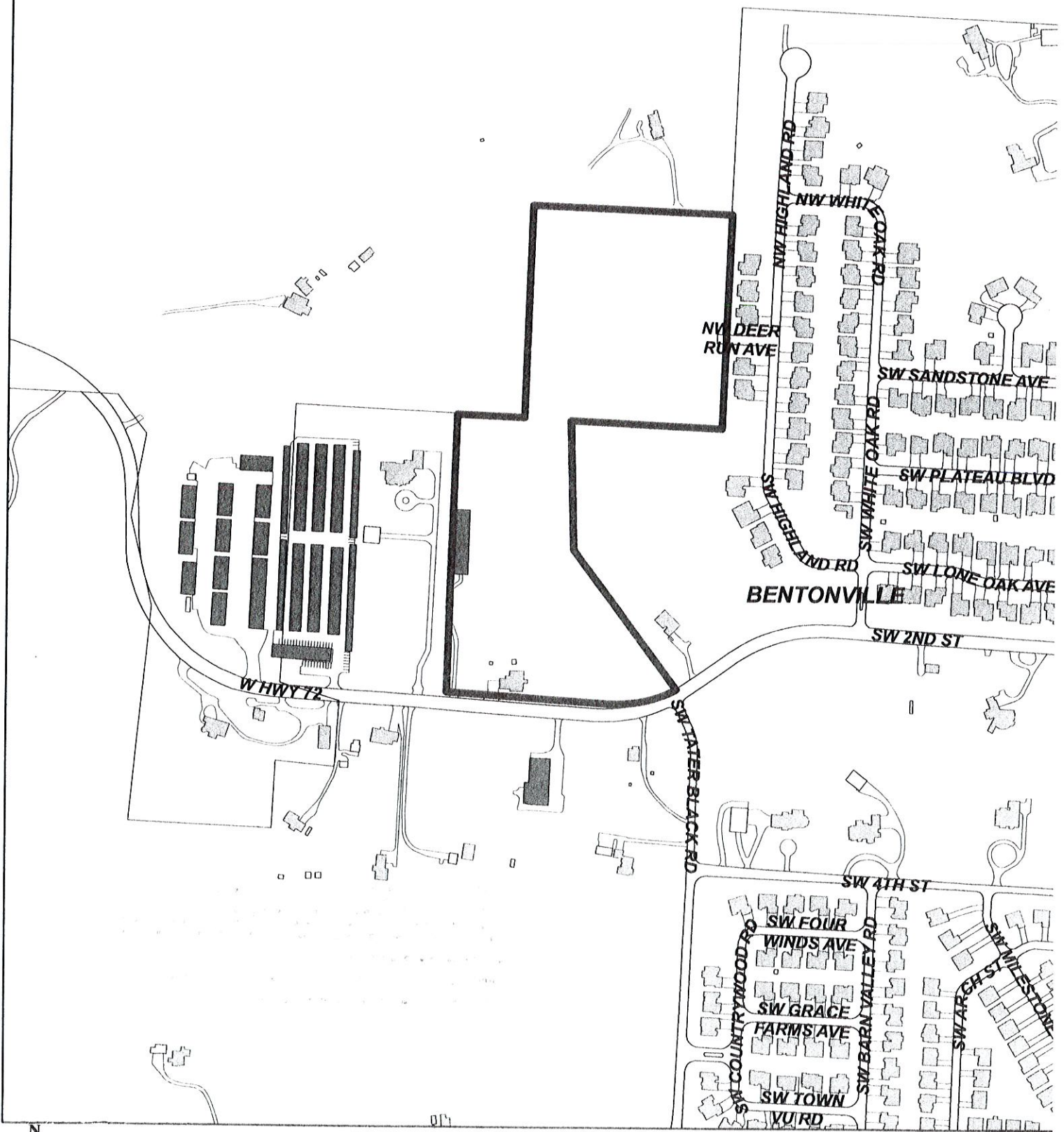
2018 2949

2018 AUG 15 AM 9:41

ELNA O'BRIEN
S.U. & PROSTATE CLEAN
S.W. 11000 COUNTY RD 200

Legend

 Proposed Annexation



Bowen Cooper Annexation

2018 2950

1 inch = 417 feet



FILED
2018 AUG 17 PM 4:26
JERRY G. SMITH
CLERK & PUBLIC SHERIFF
BENTON COUNTY, ARK.

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

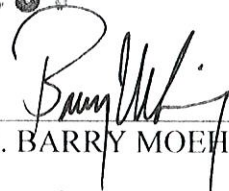
CC 2018-13

ORDER CONFIRMING ANNEXATION

Now on this day is presented to the Court the complete file for the annexation of certain land to the City of Bentonville, Benton County, Arkansas, under this file number, including specifically a copy of the plat of the annexed property and a copy of the resolution or ordinance of the governing body of the city or town accepting the property for annexation, and having reviewed the file and all things considered, the Court finds that all the requirements of § 14-40-609 of the Arkansas Code have been complied with and further that the annexation is in all respects proper, including if applicable, that the annexing city or town has included in the legal description included with its resolution or ordinance accepting the property for annexation certain dedicated public roads and rights of way abutting or traversing the property to be annexed if required by the Court's previous order entered in this file.

IT IS THEREFORE CONSIDERED AND ORDERED that the annexation of the above described lands to the City of Bentonville, Benton County, Arkansas, is hereby confirmed and that the same is and shall hence forth comprise a part of the City of Bentonville, Benton County, Arkansas.

10 107



HON. BARRY MOEHRING, County Judge

8/17/18

Date

FILED

SEP 17 2018

2018 2975

Arkansas
Secretary of State

FILED

2018 JUL 13 PM 3:50

TENA D'BRICH
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

COUNTY COURT ORDER NO. CC 2018-13

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

I, Barry Moehring, County Judge of Benton County, having reviewed the attached petition for annexation and verification of petition, hereby find that the petition:

- 1) is in writing;
- 2) contains an attestation signed before a notary or notaries by the property owner or owners of the relevant property or properties confirming their desire to be annexed;
- 3) contains an accurate description of the relevant property or properties;
- 4) contains a letter or title opinion from a certified abstractor or title company verifying that the petitioners are all owners of record of the relevant property or properties;
- 5) contains a letter or verification from a certified surveyor or engineer verifying that the relevant property or properties are contiguous with the annexing city or town and that no enclaves will be created if the property or properties are accepted by the city or town – additionally a copy of the letter from the State of Arkansas GIS office approving the legal description for the annexation was provided; and
- 6) includes a schedule of services of the annexing city or town that will be extended to the area within three (3) years after the date the annexation becomes final.

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. BARRY MOEHRING, County Judge

7/13/18

Date



**ARKANSAS
GIS OFFICE**

FILED

2018 JUN 26 AM 10:06

TENA O'BRIEN
CL. & PROBATE CLERK
BENTON COUNTY, AR

June 8, 2018

Mr. Jim Wheelless
GIS Coordinator- City of Bentonville
305 SW A Street
Bentonville, AR 72712

RE: City of Bentonville Annexation Coordination Requirement

Mr. Wheelless,

Thank you for coordinating with our office as you seek to annex property into the City of Bentonville, AR described as the Bowen Cooper Annexation. 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

FILED

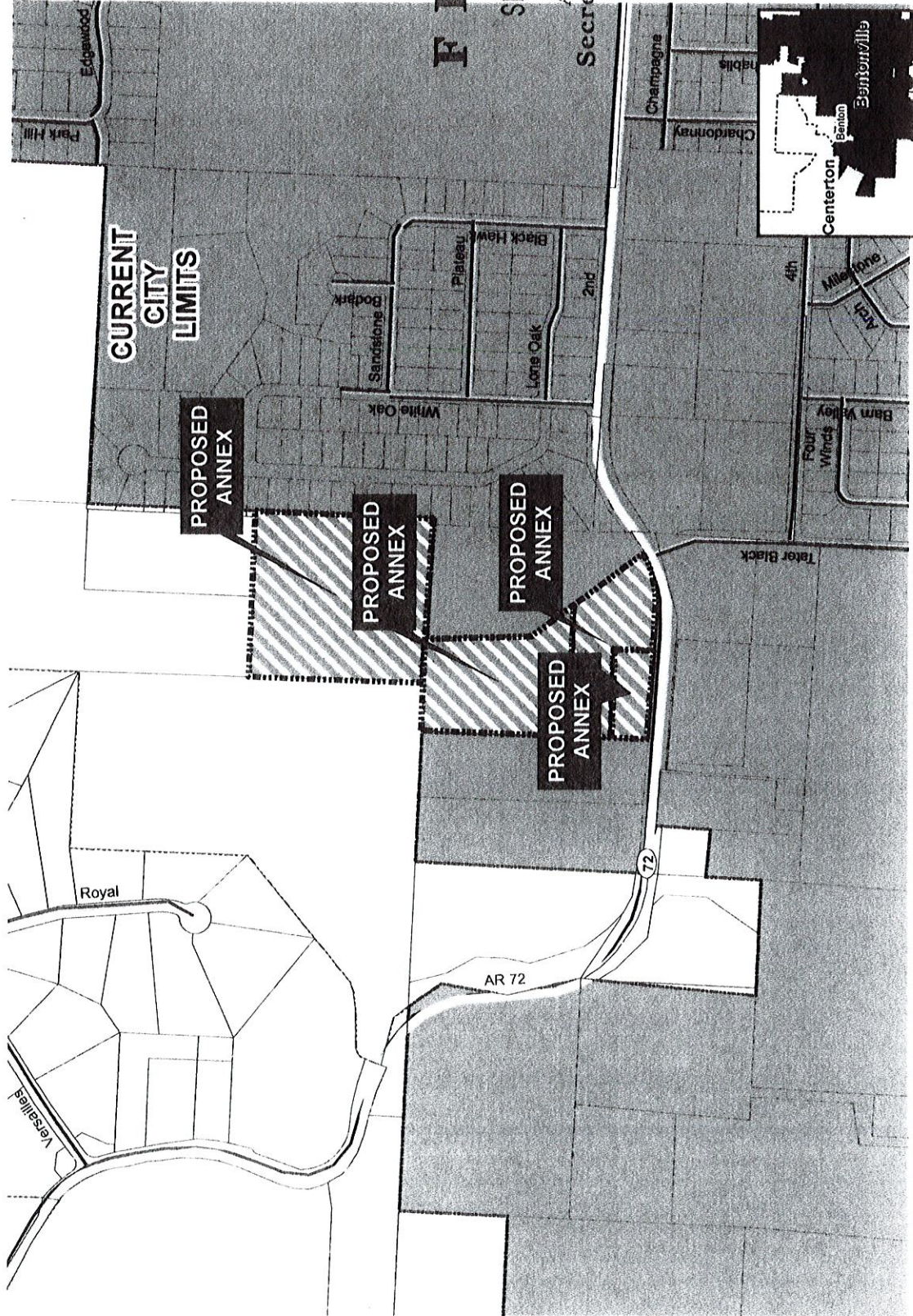
SEP 17 2018

Arkansas
Secretary of State

H:\City_Annexations\Cities\Bentonville\20180607\Doc\20180607_Bentonville_Annexation_Coordination_Letter.docx

Proposed Annex: City of Bentonville Bowen Cooper Annexation
June 2018

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
- Parcels
- Freeway
- Highway
- Major Road
- Existing City
- Neighboring City

FILED

SEP 17 2018

Arkansas
Secretary of State

0 0.0228 0.045 0.09

2018 JUN 26 AM 10:06
Miles
TERRA O'BRIEN
& PROBATE CLERK
BENTON COUNTY, AR
KANSAS
GIS OFFICE

FILED

2010 JUL 10 PM 12: 37

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

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

CC 2018-13

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

We, Tena O'Brien, County Clerk of Benton County, and Roderick Grieve, 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 the petition:

(A) is in writing;

(B) contains an attestation signed before a notary or notaries by the property owner or owners of the relevant property or properties confirming the desire to be annexed;

(C) contains an accurate description of the relevant property or properties;

(D) contains a letter or title opinion from a certified abstractor or title company verifying that the petitioners are all owners of record of the relevant property or properties;

(E) contains a letter or verification from a certified surveyor or engineer verifying that the relevant property or properties are contiguous with the annexing city or town and that no enclaves will be created if the property or properties are accepted by the city or town; and

(F) include a schedule of services of the annexing city or town that will be extended to the area within three (3) years after the date the annexation becomes final.



HON. TENA O'BRIEN, County Clerk



HON. RODERICK GRIEVE, County Assessor

FILED

2018 JUL 10 PM 12: 37

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



Date: June 28, 2018
Subject: Proposed Annexation Checklist
CC 2018-13 Bentonville, AR

(A) is in writing;

(B) contains an attestation signed before a notary or notaries by the property owner or owners of the relevant property or properties confirming the desire to be annexed;

(C) contains an accurate description of the relevant property or properties;

(D) contains a letter or title opinion from a certified abstractor or title company verifying that the petitioners are all owners of record of the relevant property or properties;

(E) contains a letter or verification from a certified surveyor or engineer verifying that the relevant property or properties are contiguous with the annexing city or town and that no enclaves will be created if the property or properties are accepted by the city or town; and

(F) include a schedule of services of the annexing city or town that will be extended to the area within three (3) years after the date the annexation becomes final.

N/A [Additionally, we note that the legal description in (C) does not include in its description certain dedicated public roads and rights of way abutting or traversing the property to be annexed, the legal descriptions for which are included on the attached Exhibit "A"]

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

2018 JUN 26 AM 10: 06

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

Parcel 18-10087-000

Part of the NE ¼ of the NE ¼ of Section 34, Township 20N, Range 31W, Benton County, Arkansas, and more particularly described as follows.

Commencing 488.87' West and 718.60' South of the NE Corner of said NE ¼ of the NE ¼.
Thence South 150';
Thence N 87° 48' 38"W, 340.25';
Thence North 137';
Thence East 340' to the point of beginning.

Parcel 18-10087-006

Part of the NE ¼ of the NE ¼ of Section 34, Township 20N, Range 31W, Benton County, Arkansas, and more particularly described as follows.

Commencing at the NW Corner of said NE ¼ of the NE ¼.
Thence S 87° 43' 52"E, 500.61';
Thence S 01° 58' 56" W, 564.03' to the point of beginning.

Thence S 88° 01' 43" E, 503.65';
Thence S 36° 27' 30" E, 336.75';
Thence along a curve to the right having a radius of 392.41', a chord of S 77° 50' 14" W, 217.13', and an arc distance of 220';
Thence N 86° 6' 8" W, 162.11';
Thence N 1° 52' 00" E, 150';
Thence N 88° 16' 25" W, 340.14';
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Parcel 18-10087-004

Part of the NE ¼ of the NE ¼ of Section 34, Township 20N, Range 31W, Benton County, Arkansas, and more particularly described as follows.

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Thence S 87° 43' 52" E, 353.06';
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Thence S 36° 27' 30" E, 201.34';
Thence N 88° 01' 43" W, 503.65';
Thence N 01° 58' 56" E, 564.03' to the point of beginning.

FILED

2018 JUN 26 AM 10: 06

Parcel 18-09900-003

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

Part of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 27, Township 20N, Range 31W, Benton County, Arkansas,
and more particularly described as follows.

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

Thence N02°24'32"E, 668.28';

Thence N87°41'25"W, 618.65';

Thence S01°51'22"W, 663.56';

Thence S87°14'48"E, 612.26' to the point of beginning.

2018 JUN 26 AM 9:42

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

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

NO. CC 2018-13

PETITION FOR ANNEXATION – 100 % OF OWNERS PETITIONING

DATE: 5/15/2018

Come now the undersigned petitioners, and state as follows:

1. That we, owning 100% of the property in the following described area, do hereby petition, pursuant to A.C.A. §14-40-609, the City Council of Bentonville, Arkansas, to annex the following lands to the City of Bentonville, Arkansas.

Refer to Exhibit "A"

2. We further state that this petition is signed by one hundred percent (100%) of the real estate owners owning one hundred percent (100%) of the acreage in said area and that the area to be annexed does not contain property whose owners do not wish to have their property annexed.

3. That said property description herein is contiguous to and adjoining the present City of Bentonville city limits, as shown on the map attached hereto as Exhibit "B".

4. That no enclaves will be created if this petition is accepted and the territory annexed into the City of Bentonville.

5. That the following schedule of services shall be extended to the area by the City of Bentonville within three (3) years after the date the annexation becomes final:

All properties annexed into the City of Bentonville are provided with Police, Fire and EMS services.

Additional services such as water and sewer may be provided if readily available. Such services are provided in accordance with existing ordinances and terms of service, including but not limited to the payment of required fees, the necessary permits, inspections and approvals.

6. That a letter or title opinion from a certified abstractor or title company verifying that the petitioners are all owners of record of the relevant property or properties is attached hereto as Exhibit "C" and is made part of this petition as if set out word for word herein.

7. That a letter or verification from a certified surveyor or engineer verifying that the relevant property or properties are contiguous with the City of Bentonville and that no enclaves will be created if the property or properties are accepted by the City of Bentonville is attached hereto as Exhibit "D" and is made part of this petition as if set out word for word herein.

8. That each of the undersigned persons executing this petition has confirmed by their signature a desire that their property, which is included in the property described above, be annexed into the City of Bentonville.

TEAL O'BRIEN
CITY & PROJECTS CLERK
COMMUNITY DEVELOPMENT

2018 JUN 26 AM 9:43

I confirm my desire that property owned by me, which is to be included in a petition to annex property, be annexed into the City of Bentonville.

If the property being annexed is owned jointly, I attest that all owners of the property are signing a copy of this confirmation.

If the property is owned by a trust, I attest either that I have the authority to sign this confirmation on behalf of the trust, or that all persons required to do so by the trust are signing a copy of this confirmation.

If the property is owned by a corporation, limited liability company or other entity I attest either that I have the authority to sign this confirmation on behalf of the entity, or that all persons required to do so by the entity's governing documents are signing a copy of this confirmation.

[Signature]
Signature of Property Owner or
Legal Representative of Property Owner,
Petitioner

[Signature]
Title, if applicable (i.e. Trustee,
(Managing Member, President,
Secretary)

Brandon Bowen

18-10087-000

Parcel number of property to be annexed

18-10087-006

18-10087-004

ACKNOWLEDGMENT

State of Arkansas)
County of Benton) ss.

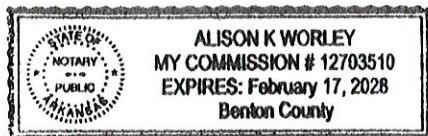
P.O. Box 2333
Bentonville, AR 72712
479-409-4091

On this the 15 day of May, 2018, before me, the undersigned officer, personally appeared Brandon Bowen, known to me (or satisfactorily proven) to be the person whose name is subscribed above and acknowledged and attested that it was executed for the purposes therein apparent.

Alison K Worley
NOTARY PUBLIC

My Commission Expires:

2/17/28



2018 JUN 26 AM 9:43

TEMPORARY
NOTARY PUBLIC

I confirm my desire that property owned by me, which is to be included in a petition to annex property, be annexed into the City of Bentonville.

If the property being annexed is owned jointly, I attest that all owners of the property are signing a copy of this confirmation.

If the property is owned by a trust, I attest either that I have the authority to sign this confirmation on behalf of the trust, or that all persons required to do so by the trust are signing a copy of this confirmation.

If the property is owned by a corporation, limited liability company or other entity I attest either that I have the authority to sign this confirmation on behalf of the entity, or that all persons required to do so by the entity's governing documents are signing a copy of this confirmation.

James D. Cooper
Signature of Property Owner or
Legal Representative of Property Owner,
Petitioner

Homes of Distinction Ave.
Title, if applicable (i.e. Trustee,
(Managing Member, President,
Secretary) President

JAMES D. COOPER

18-10087-000

Parcel number of property to be annexed

18-10087-006

18-10087-004

ACKNOWLEDGMENT

P.O. Box 2333
Bentonville, AR 72712

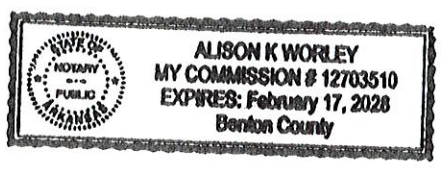
State of Arkansas)
) ss.
County of Benton)

On this the 15 day of May, 2018, before me, the undersigned officer, personally appeared James D. Cooper, known to me (or satisfactorily proven) to be the person whose name is subscribed above and acknowledged and attested that it was executed for the purposes therein apparent.

Alison K Worley
NOTARY PUBLIC

My Commission Expires:

2/17/28



2018 JUN 26 AM 11:00
ALISON K WORLEY
NOTARY PUBLIC
BENTON COUNTY, AR

I confirm my desire that property owned by me, which is to be included in a petition to annex property, be annexed into the City of Bentonville.

If the property being annexed is owned jointly, I attest that all owners of the property are signing a copy of this confirmation.

If the property is owned by a trust, I attest either that I have the authority to sign this confirmation on behalf of the trust, or that all persons required to do so by the trust are signing a copy of this confirmation.

If the property is owned by a corporation, limited liability company or other entity I attest either that I have the authority to sign this confirmation on behalf of the entity, or that all persons required to do so by the entity's governing documents are signing a copy of this confirmation.



Signature of Property Owner or
Legal Representative of Property Owner,
Petitioner

David G Smith

Title, if applicable (i.e. Trustee,
(Managing Member, President,
Secretary)

479-426-3517

P.O. Box 1846
Bentonville 72712

18-09900-003

Parcel number of property to be annexed

ACKNOWLEDGMENT

State of Arkansas)

) ss.

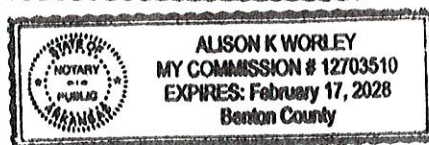
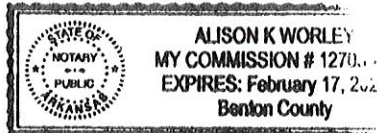
County of Benton)

On this the 23 day of May, 2019, before me, the undersigned officer, personally appeared David G. Smith, known to me (or satisfactorily proven) to be the person whose name is subscribed above and acknowledged and attested that it was executed for the purposes therein apparent.


NOTARY PUBLIC

My Commission Expires:

2/17/28



TELETYPE
COMMUNICATIONS
SYSTEM

2018 JUN 26 AM 7:44

2018 JUN 26 AM 9:4

**Bowen/Cooper Annexation
Exhibit "A"**

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

Parcel 18-10087-000

Part of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 34, Township 20N, Range 31W, Benton County, Arkansas, and more particularly described as follows.

Commencing 488.87' West and 718.60' South of the NE Corner of said NE $\frac{1}{4}$ of the NE $\frac{1}{4}$.
Thence South 150';
Thence N 87° 48' 38"W, 340.25';
Thence North 137';
Thence East 340' to the point of beginning.

Parcel 18-10087-006

Part of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 34, Township 20N, Range 31W, Benton County, Arkansas, and more particularly described as follows.

Commencing at the NW Corner of said NE $\frac{1}{4}$ of the NE $\frac{1}{4}$.
Thence S 87° 43' 52"E, 500.61';
Thence S 01 58' 56" W, 564.03' to the point of beginning.

Thence S 88° 01' 43" E, 503.65';
Thence S 36° 27' 30" E, 336.75';
Thence along a curve to the right having a radius of 392.41', a chord of S 77° 50' 14" W, 217.13', and an arc distance of 220';
Thence N 86° 6' 8" W, 162.11';
Thence N 1° 52' 00" E, 150';
Thence N 88° 16' 25" W, 340.14';
Thence N 1° 58' 56" E, 162.83' to the point of beginning.

Parcel 18-10087-004

Part of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 34, Township 20N, Range 31W, Benton County, Arkansas, and more particularly described as follows.

Commencing at the NW Corner of said NE $\frac{1}{4}$ of the NE $\frac{1}{4}$.
Thence S 87° 43' 52"E, 500.61' to the point of beginning.

Thence S 87° 43' 52" E, 353.06';

FILED

2018 JUN 26 AM 9:43

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

Thence S 01° 36' 54" E, 405.26';
Thence S 36° 27' 30" E, 201.34';
Thence N 88° 01' 43" W, 503.65';
Thence N 01° 58' 56" E, 564.03' to the point of beginning.

Parcel 18-09900-003

Part of the SE ¼ of the SE ¼ of Section 27, Township 20N, Range 31W, Benton County, Arkansas,
and more particularly described as follows.

Beginning at the SE Corner of said SE ¼ of the SE ¼.

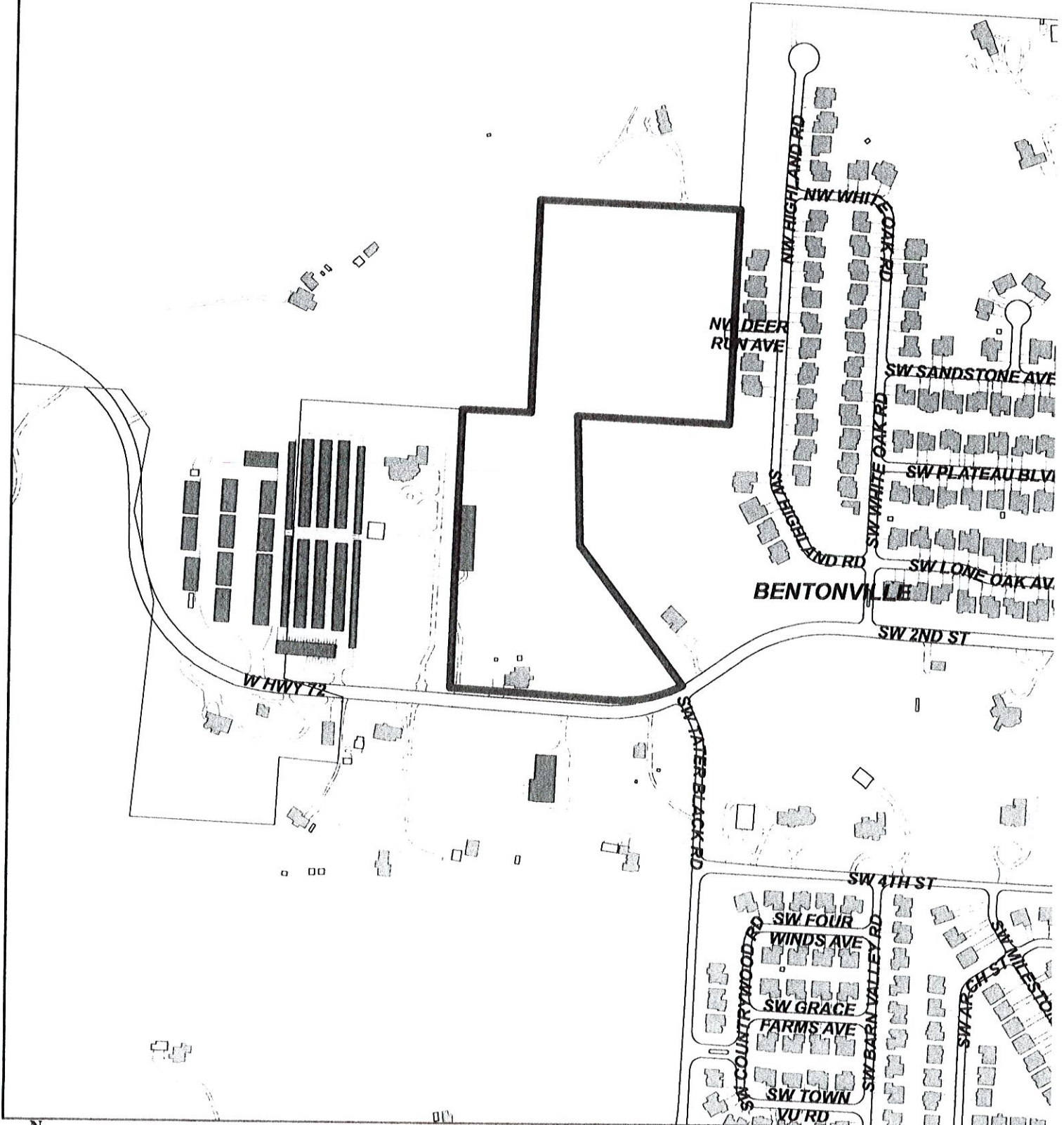
Thence N02°24'32"E, 668.28';
Thence N87°41'25"W, 618.65';
Thence S01°51'22"W, 663.56';
Thence S87°14'48"E, 612.26' to the point of beginning.

2018 JUN 26 AM 9:43

TENA O'BRIEN
CO. & PRObate CLERK
BENTONVILLE, AR

Legend

 Proposed Annexation



Bowen Cooper Annexation
EXHIBIT "B"

1 inch = 417 feet



Benton
216 W Sevier Street
Benton, AR 72015

Fayetteville
1420 Augustine Lane, Suite 1
Fayetteville, AR 72703

Bentonville
300 SW 28th Street
Bentonville, AR 72712

Sheridan
206 N Rose Street
Sheridan, AR 72150

Eureka Springs
70 S. Main Street, Suite 2
Eureka Springs, AR 72632



EXHIBIT "C"

Caulkner County Title Company
A Division of
First National Title Company
Conway
711 Locust Street
Conway, AR 72034

Little Rock Title Con
A Division of
First National Title Con
Little Rock
1001 W. Markham Street
Little Rock, AR 72201

Greenbrier
8 Wilson Farm Road, Suite A
Greenbrier, AR 72058

.....
First National
Title Company
.....

Headquarters
First National Title Company
Little Rock
415 N McKinley Street Suite 1200
Little Rock, AR 72205

TEVA ORIGIN
CO. & FINANCIAL GROUP
SERVICES OFFICE

2018 JUN 26 AM 9:43

June 13, 2018

Greetings,

This letter is given in connection with what is understood to be an effort to voluntarily annex certain real property into the City of Bentonville. Based on our review, we verify that the persons listed in Exhibit C-1 to this letter are all the owners of record of the real property described in Exhibit C-2 to this letter.

Sincerely,


Steve Pangle

Benton County Manager

First National Title

FILED

2018 JUN 26 AM 9:43

Bowen/Cooper ANNEXATION
EXHIBIT "C-1"

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

<u>Brandon Bowen & James D. Cooper</u>	<u>18-10087-000</u>
<u>Homes of Distinction, Inc.</u>	<u>18-10087-006</u>
<u>_____</u>	<u>18-10087-004</u>

<u>David G. Smith</u>	<u>18-0990-003</u>
-----------------------	--------------------

**Bowen/Cooper Annexation
Exhibit "C-2"**

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

Parcel 18-10087-000

Part of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 34, Township 20N, Range 31W, Benton County, Arkansas, and more particularly described as follows.

Commencing 488.87' West and 718.60' South of the NE Corner of said NE $\frac{1}{4}$ of the NE $\frac{1}{4}$.
Thence South 150';
Thence N 87° 48' 38"W, 340.25';
Thence North 137';
Thence East 340' to the point of beginning.

Parcel 18-10087-006

Part of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 34, Township 20N, Range 31W, Benton County, Arkansas, and more particularly described as follows.

Commencing at the NW Corner of said NE $\frac{1}{4}$ of the NE $\frac{1}{4}$.
Thence S 87° 43' 52"E, 500.61';
Thence S 01 58' 56" W, 564.03' to the point of beginning.

Thence S 88° 01' 43" E, 503.65';
Thence S 36° 27' 30" E, 336.75';
Thence along a curve to the right having a radius of 392.41', a chord of S 77° 50' 14" W, 217.13',
and an arc distance of 220';
Thence N 86° 6' 8" W, 162.11';
Thence N 1° 52' 00" E, 150';
Thence N 88° 16' 25" W, 340.14';
Thence N 1° 58' 56" E, 162.83' to the point of beginning.

Parcel 18-10087-004

Part of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 34, Township 20N, Range 31W, Benton County, Arkansas, and more particularly described as follows.

Commencing at the NW Corner of said NE $\frac{1}{4}$ of the NE $\frac{1}{4}$.
Thence S 87° 43' 52"E, 500.61' to the point of beginning.

Thence S 87° 43' 52" E, 353.06';

FILED

2018 JUN 26 AM 9:43

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

Thence S 01° 36' 54" E, 405.26';
Thence S 36° 27' 30" E, 201.34';
Thence N 88° 01' 43" W, 503.65';
Thence N 01° 58' 56" E, 564.03' to the point of beginning.

Parcel 18-09900-003

Part of the SE ¼ of the SE ¼ of Section 27, Township 20N, Range 31W, Benton County, Arkansas,
and more particularly described as follows.

Beginning at the SE Corner of said SE ¼ of the SE ¼.

Thence N02°24'32"E, 668.28';
Thence N87°41'25"W, 618.65';
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Thence S87°14'48"E, 612.26' to the point of beginning.

2018 JUN 26 AM 9:43

Greetings:

EXHIBIT "D"

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

This letter is given in connection with what is understood to be an effort to voluntarily annex certain real property (Bowen Cooper) into the City of Bentonville. I am a licensed Professional Engineer in the State of Arkansas. Based on my review, I verify that the real property described in Exhibit D-1 to this letter is contiguous with the City of Bentonville and that no enclaves will be created if the described property is accepted by the City of Bentonville.

Sincerely,



Travis Matlock, P.E.

2018 JUN 26 AM 9:43

**Bowen/Cooper Annexation
Exhibit "D-1"**

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

Parcel 18-10087-000

Part of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 34, Township 20N, Range 31W, Benton County, Arkansas, and more particularly described as follows.

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Thence North 137';
Thence East 340' to the point of beginning.

Parcel 18-10087-006

Part of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 34, Township 20N, Range 31W, Benton County, Arkansas, and more particularly described as follows.

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Thence S 36° 27' 30" E, 336.75';
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Thence N 1° 58' 56" E, 162.83' to the point of beginning.

Parcel 18-10087-004

Part of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 34, Township 20N, Range 31W, Benton County, Arkansas, and more particularly described as follows.

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Thence S 87° 43' 52"E, 500.61' to the point of beginning.

Thence S 87° 43' 52" E, 353.06';

FILED

2018 JUN 26 AM 9:44

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Thence N 01° 58' 56" E, 564.03' to the point of beginning.

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

Parcel 18-09900-003

Part of the SE ¼ of the SE ¼ of Section 27, Township 20N, Range 31W, Benton County, Arkansas,
and more particularly described as follows.

Beginning at the SE Corner of said SE ¼ of the SE ¼.

Thence N02°24'32"E, 668.28';
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Thence S01°51'22"W, 663.56';
Thence S87°14'48"E, 612.26' to the point of beginning.



ARKANSAS
GIS OFFICE

FILED

2018 JUN 26 AM 9:42

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

June 8, 2018

Mr. Jim Wheelless
GIS Coordinator- City of Bentonville
305 SW A Street
Bentonville, AR 72712

RE: City of Bentonville Annexation Coordination Requirement

Mr. Wheelless,

Thank you for coordinating with our office as you seek to annex property into the City of Bentonville, AR described as the Bowen Cooper Annexation. 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

H:\City_Annexations\Cities\Bentonville\20180607\Doc\20180607_Bentonville_Annexation_Coordination_Letter.docx