



JOHN THURSTON

ARKANSAS SECRETARY OF STATE

January 14, 2020

The Hon. Doug Curtis
Saline County Clerk
215 N. Main Street
Benton, AR 72015

Re: City of Benton Annexation Ordinance 85

Dear Mr. Curtis,

This letter acknowledges receipt and filing of the following notice of municipal boundary change by the Office of the Arkansas Secretary of State:

Filing Type: Annexation pursuant to A.C.A §14-40-609 (Annexation by petition of all landowners)

Effective Date: 11/25/2019

County: Saline

City Ordinance: 85

County Court Order: CC 2019-14

City: Benton

Dated: 11/25/2019

Date Filed: 10/21/2019

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 change by the Arkansas Secretary of State.

If you have any questions or concerns regarding this filing, please do not hesitate to contact our Office at 501-683-3717.

Sincerely,

A handwritten signature in black ink that reads "Shantell McGraw".

Shantell McGraw
Elections Division

cc: Arkansas Geographic Information Systems Office (w/encl)
Arkansas Department of Transportation Mapping Department (w/encl)
Department of Finance and Administration (w/encl)
Arkansas Public Service Commission (w/encl)
Arkansas Economic Development Institute (w/encl)
The Hon. Tom Farmer, Mayor of Benton (w/encl)
The Hon. Cindy Stracener, City Clerk of Benton (w/encl)



Arkansas Secretary of State

Mark Martin

Arkansas Secretary of State 500 Woodlane Ave, Little Rock, AR 72201

FILED SALINE COUNTY CLERK & COUNTY CLERK 2019 DEC 14 PM 2:17

Municipal Boundary Change Checklist BY KL

County: Saline City/Town: Benton

City Ordinance/Resolution No: 05 Date approved: 11-25-19

County Court Case No: CC2019-14 Date Order Filed: 10-21-19

Type: Annexation by Petition of all Landowners ACA 1440-609
(Choose from the list of Arkansas Code Sections located on the back)

Date Change Effective: 11-25-19 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: Ward 5

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: 1114 South East St

City: Benton St: AE 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: Doug Curtis by Nicole Knight Title: Saline County Clerk
Date: 12.16.19

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: _____

FILED
JAN 14 2020
Arkansas
Secretary of State

ORDINANCE NO. 85 OF 2019

AN ORDINANCE
ANNEXING CERTAIN TERRITORY INTO THE
CITY OF BENTON, SALINE COUNTY, ARKANSAS; DECLARING AN EMERGENCY;
AND FOR OTHER PURPOSES

WHEREAS, Havens Development Company, LLC. filed a Petition with County Court of Saline County, Arkansas, to annex certain contiguous property hereinafter described, to the City of Benton, Saline County, Arkansas, and

WHEREAS, on October 21, 2019, in case number CASE # CC 2019-14, Jeff Arey, 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: That the property hereinafter described be annexed and made part of the City of Benton, Saline County, Arkansas, and is to be included in Ward 5 and zoned R-2 Single Family District Detached Housing and is described as follows, to wit:

[Proposed Woods of Hurricane Lake Estates Subdivision, Parcel 001-04155-000]

PROPERTY DESCRIPTION AS SURVEYED

THAT PART OF THE WEST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER, SECTION 17, TOWNSHIP 1 SOUTH, RANGE 14 WEST, SALINE COUNTY, ARKANSAS, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE WEST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER; THENCE SOUTH 02°44'08" WEST ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER 1328.69 FEET TO THE SOUTHEAST CORNER OF THE WEST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER; THENCE NORTH 87°54'59" WEST ALONG THE SOUTH LINE THEREOF 663.14 FEET TO THE SOUTHWEST CORNER OF THE WEST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER; THENCE NORTH 02°44'29" EAST ALONG THE WEST LINE OF THE WEST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER FOR 1325.92 FEET TO THE NORTHWEST CORNER OF THE WEST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER; THENCE SOUTH 87°54'59" EAST ALONG THE NORTH LINE THEREOF 663.04 FEET TO THE POINT OF BEGINNING. CONTAINING 20.20 ACRES, MORE OR LESS.

SUBJECT TO THE RIGHT OF WAY OF NORTSHORE DRIVE.

SECTION 2: It is hereby found and determined that an immediate passage of this Ordinance is necessary for residential development, which will benefit the growth of the city and local economy; THEREFORE, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED this 25 day of November, 2019.

Attest: Cindy Spencer
City Clerk

Tom Farmer
Tom Farmer, Mayor

FILED
SALINE COUNTY
CLERK & COUNTY CLERK

IN THE COUNTY COURT OF SALINE COUNTY, ARKANSAS
NO. CC 2019-14

2019 OCT 21 PM 3:45

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

BY 

ORDER

Comes for hearing the Petition of Havens Development Company, LLC, who is the one hundred percent (100%) property owner of portions of Section 17, Township 1 South, Range 14 West, asking that the following territory be annexed to the City of Benton, Saline County, Arkansas, to-wit:

LEGAL DESCRIPTION, SEE ATTACHED EXHIBIT "A"

After reviewing the documents and evidence, the Court finds:

1. That the Petition for Annexation and records have been reviewed for completeness and accuracy;
2. That no enclaves will be created by the annexation;
3. That said Petition contains a schedule of services of the annexing city that will be extended to the area within three (3) years after the date the annexation becomes final; and
4. That the annexing city shall annex any dedicated public roads and rights of way abutting or traversing the property to be annexed.
5. That the property that is being annexed into the City of Benton includes property that is owned by Saline County, Arkansas and that Saline County, Arkansas consents to the annexation of land owned by Saline County, Arkansas into the City of Benton, Arkansas.

THEREFORE the Court hereby ORDERS, JUDGES, and DECREES that this Order and the Petition for Annexation be forwarded to the annexing city so that the annexing city may grant the Petition and accept the property for annexation.



Jeff Arey, Saline County Judge

10/21/19

Date

⚠ Please Note: This map is for reference purposes only. It is not intended for use as a legal survey or document. No guarantee of accuracy is granted, nor is any responsibility



ARCountyData.com Mapping
[Beta]

Map data © 2019, Imagery © 2019, Data © 2019, Esri, DeLorme, Garmin, GeoEye, IGN, AerGIS, State of Kansas, USGS, USDA, Fidelity Investments

CITY OF BENTON
COMMUNITY DEVELOPMENT DEPARTMENT

Jessica Teague
Planner
Phone: (501) 776-5938
Email: jessica@bentonar.org



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

MEMORANDUM

TO: Robin Freeman/ Brian Black
Planning Commission

FROM: Jessica Teague
Department of Community Development

DATE: November 7, 2019

RE: Annexation of 20.2 acres for Havens Development

Staff and other Departments have reviewed the proposed annexation request and recommends approval. All requirements have been met for this annexation and the required documentation is attached. All departments have reviewed this request and their comments are included in the packet.

Please contact the Community Development Office if we may be of further assistance.

To Approve

Y
THH

N

Jessica

From: Jessica
Sent: Wednesday, November 6, 2019 4:16 PM
To: eric@richardson-engrs.com
Subject: DRC Comments for Annexation of 20.2 acres for Havens Development

Good afternoon Eric,

Below are comments I have received regarding Annexation for 20.2 acres for Havens Development. Please address all comments and corrections and resubmit revised plans to the Community Development Office. Also, please let me know if you have any questions or concerns.

Community Development:

- OK

Electric Department:

- The Electric Department approves this annexation.

Fire Marshal:

- Fire approves

Street Department:

- The Street Dept approves

Wastewater Conveyance Department:

- Wastewater Conveyance Department approves the annexation of 20.2 acres for Havens Development.

Water Department:

- Water department approves this annexation.

Thank you.

Sincerely,

Jessica Teague

Planner
Community Development
114 South East Street
Benton, AR 72015
Office: 501-776-5938, ext. 116
Cell: 501-249-8218
Fax: 501-776-5922

October 21, 2019

City of Benton
Community Development Department
Attention: Mr. Brad Jordan
114 South East Street, Benton, AR 72015

Re: Letter of Request for annexation by one hundred percent (100%) petition.

Dear Mr. Jordan,

Please accept this letter as request for annexation of the property described in Exhibit "A" to the City of Benton by 100% petition. We ask that the property be zoned R2 Single Family District Detached Housing at the time of annexation. Attached, you will find the Decree of Annexation, releasing the property from the County, a property survey, and proof of 100% ownership by the Havens Development LLC.

I am authorizing my engineer, Eric Richardson, to be the point of contact for all communications regarding this matter.

Sincerely,



Havens Development LLC

HAVENS DEVELOPMENT LLC

SEVERN LANDING RD
RURAL, AR

[Basic](#) [Land](#) [Sales](#) [Valuation](#) [Taxes](#) [Receipts](#) [View Map](#)

Basic Info

Parcel Number:	001-04155-000
County Name:	Saline County
Property Address:	HAVENS DEVELOPMENT LLC SEVERN LANDING RD RURAL, AR
Mailing Address:	HAVENS DEVELOPMENT LLC 22095 I-30 #500 BRYANT AR 72022
Collector's Mailing Address:	HAVENS DEVELOPMENT LLC 22095 I-30 #500 BRYANT, AR 72022
Total Acres:	20.20
Timber Acres:	20.20
Sec-Twp-Rng:	17-01S-14W
Lot/Block:	/
Subdivision:	
Legal Description:	W/2 NE SW 2018-019175
School District:	250 BRYANT
Improvement Districts:	SPRINGHILL FIRE
Homestead Parcel?:	No
Tax Status:	Taxable
Over 65?:	No

TOCA INVESTMENTS LLC
SEVERN LANDING RD
RURAL, AR

[Back](#) [Land](#) [Sales](#) [Valuation](#) [Taxes](#) [Receipts](#) [View Map](#) ⁹

Sales History

Filed	Sold	Price	Grantor	Grantee	Book	Page	Deed Type
8/20/2019	8/20/2019	0	HAVENS	TOCA INVESTMENTS LLC	2019	018267	WD(Warranty Deed)
8/20/2019	8/20/2019	0	HAVENS DEV LLC	HAVENS	2019	018266	WD(Warranty Deed)
10/5/2018	10/5/2018	0	CHAPMAN-HAVENS DEV	HAVENS DEV	2018	018173	CCD(Quit Claim Deed)
10/4/2018	10/4/2018	0	CHAPMAN-HAVENS DEV LLC	HAVENS DEV	2018	019045	CCD(Quit Claim Deed)
9/11/2017	9/11/2017	0	TERRA BELLA PARTNERS	CHAPMAN-HAVENS	2017	016827	CORRCCD(CORRECTION CCD)
8/5/2017	8/5/2017	0	TERRA BELLA PARTNERS	CHAPMAN-HAVENS	2017	016411	CCD(Quit Claim Deed)
8/5/2017	8/5/2017	761,000	TERRA BELLA PARTNERS	CHAPMAN-HAVENS DEV	2017	016410	WD(Warranty Deed)
8/17/2008	8/17/2008	0	TINER ETAL	TERRA BELLA PARTNERS	2008	01703	WD(Warranty Deed)
4/24/2000	4/24/2000	0	JESTICE	TINER & HODRIAN & GRIMMETT	2000	13717	PRD(Personal Rep Deed)
12/11/1992	12/11/1992	30,000	GOFORTH	JESTICE	388	145	

EXHIBIT "A"

PERTY DESCRIPTION AS SURVEYED

THAT PART OF THE WEST HALF OF THE NORTHEAST QUARTER OF THE
SOUTHWEST QUARTER, SECTION 17, TOWNSHIP 1 SOUTH, RANGE 14 WEST,
SALINE COUNTY, ARKANSAS, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE WEST HALF OF THE
NORTHEAST QUARTER OF THE SOUTHWEST QUARTER; THENCE SOUTH 02°44'08"
WEST ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST
QUARTER 1328.69 FEET TO THE SOUTHEAST CORNER OF THE WEST HALF OF THE
NORTHEAST QUARTER OF THE SOUTHWEST QUARTER; THENCE NORTH 87°54'59"
WEST ALONG THE SOUTH LINE THEREOF 663.14 FEET TO THE SOUTHWEST
CORNER OF THE WEST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST
QUARTER; THENCE NORTH 02°44'29" EAST ALONG THE WEST LINE OF THE WEST
HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER FOR 1325.92
FEET TO THE NORTHWEST CORNER OF THE WEST HALF OF THE NORTHEAST
QUARTER OF THE SOUTHWEST QUARTER; THENCE SOUTH 87°54'59" EAST ALONG
THE NORTH LINE THEREOF 663.04 FEET TO THE POINT OF BEGINNING.
CONTAINING 20.20 ACRES, MORE OR LESS.

SUBJECT TO THE RIGHT OF WAY OF NORTHSORE DRIVE

IN THE COUNTY COURT OF SALINE COUNTY, ARKANSAS
NO. CC 2019-14

FILED
SALINE COUNTY
PROBATE & COUNTY CLERK

2019 DEC -5 PM 3:12

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

BY _____

FINAL ORDER

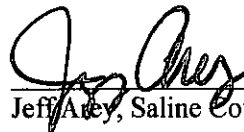
Comes for hearing the Petition of Havens Development Company, LLC, who is the one hundred percent (100%) property owner of portions of Section 17, Township 1 South, Range 14 West, asking that the following territory be annexed to the City of Benton, Saline County, Arkansas, to-wit:

LEGAL DESCRIPTION, SEE ATTACHED EXHIBIT "A"

After reviewing the documents and evidence, the Court finds:

1. That the requirements of A.C.A. § 14-40-609 have been complied with and the annexation is in all respects proper; and
2. The annexation is hereby confirmed.

THEREFORE the Court hereby ORDERS, JUDGES, and DECREES that this Annexation is proper and is confirmed.



Jeff Arey, Saline County Judge

Date

12-5-19

PROPERTY DESCRIPTIONS SURVEYED

THAT PART OF THE WEST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER, SECTION 17, TOWNSHIP 1 SOUTH, RANGE 14 WEST, SALINE COUNTY, ARKANSAS, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE WEST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER; THENCE SOUTH $02^{\circ}44'08''$ WEST ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER 1328.69 FEET TO THE SOUTHEAST CORNER OF THE WEST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER; THENCE NORTH $87^{\circ}54'59''$ WEST ALONG THE SOUTH LINE THEREOF 663.14 FEET TO THE SOUTHWEST CORNER OF THE WEST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER; THENCE NORTH $02^{\circ}44'29''$ EAST ALONG THE WEST LINE OF THE WEST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER FOR 1325.92 FEET TO THE NORTHWEST CORNER OF THE WEST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER; THENCE SOUTH $87^{\circ}54'59''$ EAST ALONG THE NORTH LINE THEREOF 663.04 FEET TO THE POINT OF BEGINNING. CONTAINING 20.20 ACRES, MORE OR LESS.

SUBJECT TO THE RIGHT OF WAY OF NORTHSHORE DRIVE.

Exhibit "A"

FILED
SALINE COUNTY
PROBATE & COUNTY CLERK

2019 DEC -2 PM 12:44

CLERK'S CERTIFICATE

STATE OF ARKANSAS)

) ss
COUNTY OF SALINE)

BY AH

I, Cindy Stracener, City Clerk of the City of Benton, hereby certify that the attached and foregoing is a true, full and correct copy of Ordinance 85 of 2019 adopted at a regular scheduled meeting of the Benton City Council held November 25, 2019 and the same appears on file, and of record, in my office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the corporation seal of said City, this 2nd day of December 2019.

Cindy Stracener

Cindy Stracener, City Clerk

Seal



**ARKANSAS
GIS OFFICE**

**Department of Transformation
and Shared Services**
Governor Asa Hutchinson
Secretary Amy Fecher
Director Shelby Johnson

October 14, 2019

Mr. Tristin Phillips, EI
Richardson Engineering
210 West Sevier Street
Benton, AR 72015

RE: City of Benton Annexation Coordination Requirement

Mr. Phillips,

Thank you for coordinating with our office as you seek to annex property into the City of Benton, AR located in Section 17, Township 1 South, Range 14 West. 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.

Please note that this annexation appears to create an enclave which is generally prohibited under state law. It is our understanding that the potential enclave area will also soon petition for annexation, thus no longer creating an enclave.

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

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

H:\City_Annexations\Cities\Benton\20191014\Doc\20191014_Benton_Annexation_Coordination_Letter.docx

ARKANSAS GIS OFFICE
1 Capitol Mall, Suite 6D • Little Rock, AR 72201 • 501.682.2767
gis.arkansas.gov • transform.ar.gov



Proposed Annex: City of Benton
October 2019

City: Benton
Mayor: Tom Farmer

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

