

ARKANSAS SECRETARY OF STATE

October 27, 2020

The Hon. Betsy Harrell Benton County Clerk 215 East Central, Suite 217 Bentonville, AR 72712-5373

Re:

City of Bentonville Annexation Ordinance 2020-163

Dear Ms. Harrell

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: 9/24/2020

County: Benton City Ordinance: 2020-163

County Court Order: 2020-09

City: Bentonville

Dated: 8/25/2020 Date Filed: 9/9/2020

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,

Shantell McGra

Elections Division

Arkansas Geographic Information Systems Office (w/encl) cc:

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. Stephanie Orman, Mayor of Bentonville (w/encl)

The Hon. Linda Spence, Bentonville City Clerk (w/encl)



Received by:

Arkansas Secretary of State John Thurston Arkansas Secretary of State, 500 Woodlane Ave, Little Rock, AR 72201-1094

Municipal Boundary Change Checklist

Act 655 of 2017 and A.C.A. §14-40-103

County: Benton	City/Town: Bentonville
City Ordinance/Resolution No: 2020-163	Date approved: 08/25/2020
County Court Case No: 2020-09 Type: Annexation by Petition of all Landowners	Date Order Filed: 07/15/2020 9/9/2020 5M
Date Change Effective: 09/24/2020 Set by: OMU (Required by Act 655 of 2017)	unicipal Ordinance O Emergency Clause O Court O Default
For Circuit Court Challenge: Date Order Filed:	OUpheld Overturned Other (attach explanation
Please indicate which ward(s) the territory will be assi	igned to:
	(See A.C.A § 14-40-203)
Initiating party:	
All Landowners	cipal Governing Body OState OOther
Supporting Documentation attached (check all that apply	<i>ነ</i> ፡
File marked copy of City Ordinance/Resolution (requ	uired)
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 ce	ertification letter (required)
Proof of Publication for all Legal Notices (include Hea	aring, Election, and City Ordinance/Resolution notices)
File marked copy of Petition Part (if applicable)	
File marked copy of Complaint and final Circuit Cour	rt Order (Court Challenge only)
Municipal Contact:	
Name: Linda Spence	Title: City Clerk
Street Address: 117 W. Central Ave	
City: Bentonville	St: AR Zip code: 72712
Complete one form per ordinonce/resolution, ottach it as a cover	page to the supporting document set and submit to the County Clerk's Office ive Date as required by Act 655 of 2017
County Official: Signature: UCCMVSHC10	Title de DIATU Clerk
CER A C 1990	
Pursuant to Act 655 of 2017, County Officials must submit a file-ma	arked copy of municipal boundary change documents within 30 days af receipt ary Filing, 500 Woodlane Ave Suite 256, Little Rock, AR 72201-1094
Office of the Arkansas Secretary of State use only	

ruft

2020 AUG 28 PM 2: 04

ORDINANCE NO. 2020 - (a3

GLIGY HARRELL CO & PROBATE CLERK BY YTHE COUNTY, AR

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 all of the owners of the hereinafter described territory, said owners being listed in Exhibit "A" to this ordinance, praying that said territory be annexed to, and made a part of the City of Bentonville, Arkansas, and

WHEREAS, on the 15h day of July , 2020, 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

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 "B," which includes both the territory sought to be annexed by the petitioners and the dedicated public roads and rights of way abutting or traversing the property proposed to be annexed, 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 "B" is hereby accepted as part of and annexed to and made a part of the City of Bentonville.

220 SEP -9 PH 1: 42

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

CC 2020-09

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.

HON. BARRY MOEHRING, County Judge

9.8.2020

Date

HILEL

LAKE BELLA VISTA AINNEXATION EXHIBIT "A"

2020 AUG 28 PM 2: 04

BETSY HANRELL CO & PROBATE CLERK BENTON COUNTY, AR

CITY OF BENTONVILLE _______15-81050-000 * 15-81050-001

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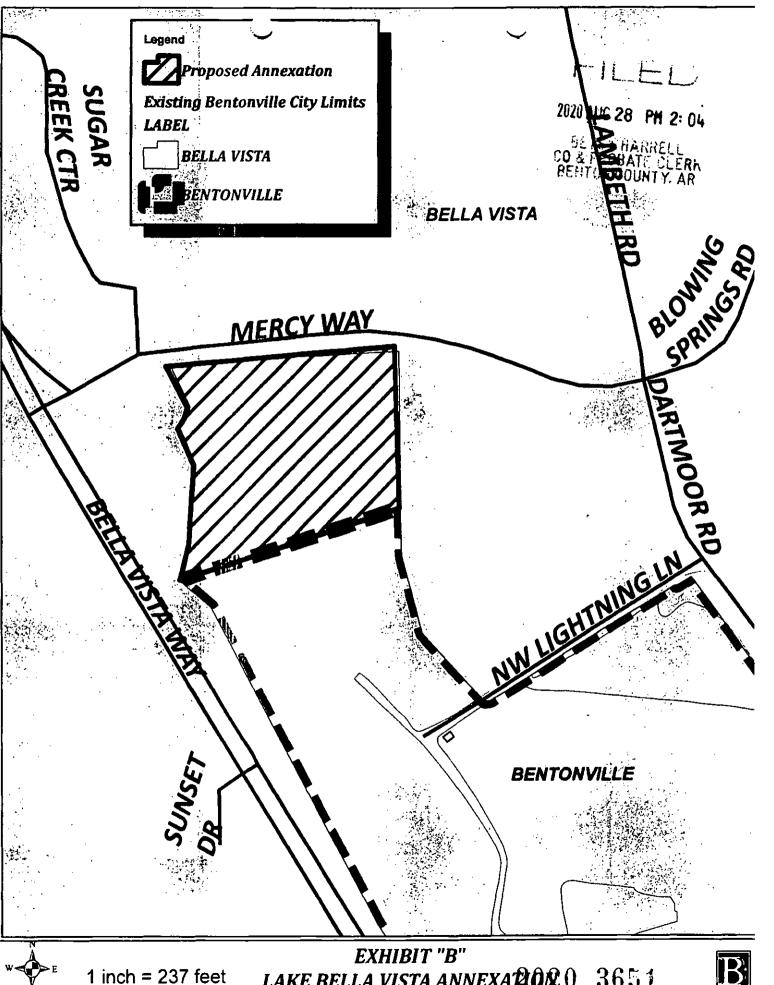
LAKE BELLA VISTA ANNEXATION EXHIBIT "B"

2020 AUG 28 PM 2: 04

Part of the SW ¼ of the NW ¼ of Section 1, Township 20N, Range 31W, Benton County, Arkansas and more particularly described as follows:

Commencing at the SW Corner of said Section 1. Thence North 2591.81'; Thence East 644.09' to the Point of Beginning.

Thence N13°51'47"E, 91.63';
Thence N04°00'18"E, 197.41';
Thence N24°40'45"W, 101.28';
Thence N34°58'23"E, 27.58';
Thence N17°30'30"E, 31.92';
Thence N27°35'30"W, 117.83';
Thence N85°10'51"E, 587.30';
Thence S01°43'29"E, 406.00';
Thence S72°20'01"W, 589.54' to the point of beginning. Containing 5.86 acres more or less.





3651 LAKE BELLA VISTA ANNEXA 🗗 🛈 🞗 🛈

BENTON COUNTY

MINISTRATE OF ARKANSAS PROMINER

BETSY HARRELL

COUNTY CLERK & VOTER REGISTRAR

215 EAST CENTRAL, SUITE 217
BENTONVILLE, AR 72712-5373
479-271-1013
Fax: 479-271-1019

July 16, 2020

PROBATE COURT CLERK
COURTHOUSE, 102 N.E. "A" STREET
BENTONVILLE, AR 72712-5350
479-271-5727

Fax: 479-271-1712

Honorable Stephanie Orman City of Bentonville 117 W. Central Ave Bentonville, AR 72712

> Re: In the Matter of Annexing to the City of Bentonville, Arkansas Certain Territory Contiguous To Said City of Bentonville, Arkansas

Dear Mayor Orman:

The County has received and processed a proposed annexation pursuant to ACA § 14-40-609 related to annexations by 100% of the property owners. I am transmitting to you a copy of the documents relating to the proposed annexation for consideration by the Bentonville City Council.

If your council and you approve the annexation, please ask your clerk or recorder to return to me one (1) certified copy of the plat of the annexed property and one (1) certified copy of the ordinance or resolution approving the annexation so that I can send those on to the Secretary of State as required by the statute.

Please feel free to contact me if you have questions.

Sincerely,

BETSY HARRELL, County Clerk

enc

ROGERS OFFICE 2111 W. WALNUT (479) 636-3727 FAX (479) 636-4922 ROGERS ARCHIVES 2111 W. WALNUT (479) 636-1037 FAX (479) 636-1053 SILOAM SPRINGS OFFICE 707 S. LINCOLN 479-271-1013 FAX (479) 524-8534

Tunderwood

2020 JUL 15 PM 1: 12

BETSY HARRELL CO & PROBATE CLERK BENTON COUNTY, AR

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

COUNTY COURT CASE NO. CC 2020-09

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;
- 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 for	ward a copy of this order and the related Petition to the
Mayor of the City of BENTONVILLE.	Kana III
	HON. BARRY MOEHRING, County Judge
	Date

Z020 JUL 13 AM II: 10

BETSY HARRELL
CO & PROBATE CLERK
RENTON COUNTY, AR
CC 2020-09

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

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

We, Betsy Harrell, County Clerk of Benton County, and Roderick Grieve, County Assessor of Benton County, attest as follows:

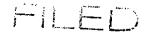
Our offices have received the attached petition seeking annexation. The petition has been reviewed and we hereby verify that the petition:

(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. BETSY/HARRELL, County Clerk

HON, RODERICK GRIEVE, County Assessor



2020 JUL 13 AMII: 10





Date: July 7, 2020

Subject: Proposed Annexation Checklist

CC 2020-09 Bentonville, AR

 \angle (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.

[Additionally, we note that the legal description in (B) 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 – GIS-Mapping Dept. Benton County Assessor's Office Phone: 479-271-1037, ext. 7004

Email: michael.million@bentoncountyar.gov

2020 JUN 29 PM 3: 53

BETSY HARRELL CO & PROBATE CLERK BENTON COUNTY, AR

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

NO. CC 2620-09

PETITION FOR ANNEXATION - 100 % OF OWNERS PETITIONING

DATE: 6/26/2020

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.

2020 JUN 29 PM 3: 53

BETSY HARRELL

6. That a letter or title opinion from a certified abstractor or title Confidence AFE By Information 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.

. H

2020 JUN 29 PM 3: 53

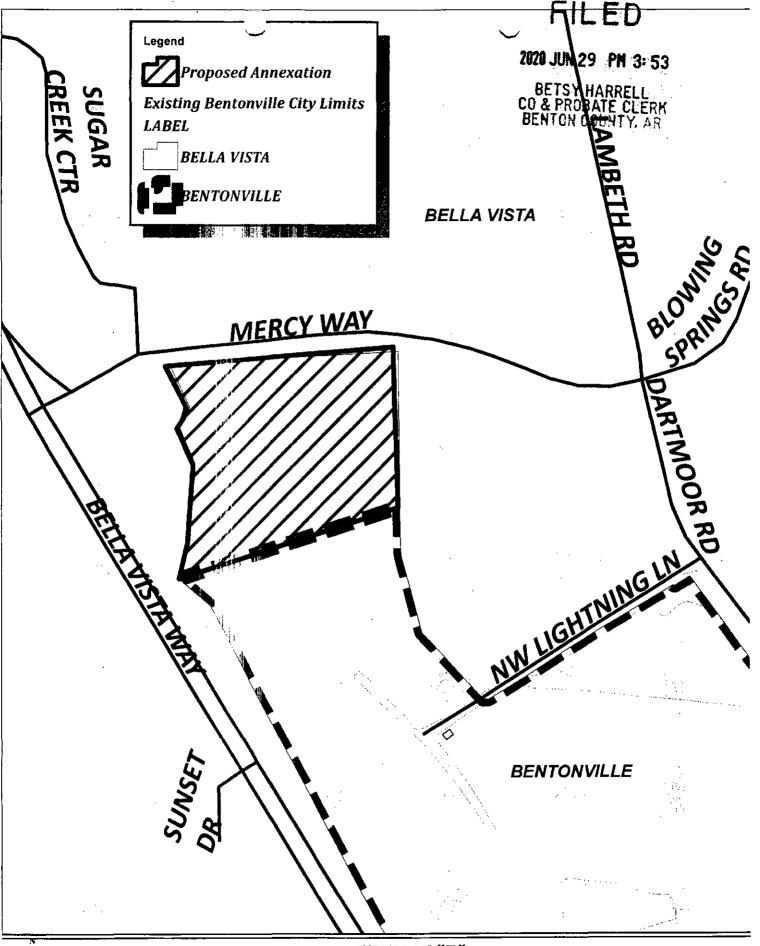
Lake Bella Vista Annexation Exhibit "A"

BETSY HARRELL CO & PROBATE CLERK BENTON COUNTY, AR

Part of the SW ¼ of the NW ¼ of Section 1, Township 20N, Range 31W, Benton County, Arkansas and more particularly described as follows:

Commencing at the SW Corner of said Section 1. Thence North 2591.81'; Thence East 644.09' to the Point of Beginning.

Thence N13°51'47"E, 91.63';
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Thence S01°43'29"E, 406.00';
Thence S72°20'01"W, 589.54' to the point of beginning. Containing 5.86 acres more or less.





Benton 216 W Sevier Street Benton, AR 72015

Bentonville 300 SW 28th Street Bentonville, AR 72712

Eureka Springs 70 S. Main Street, Suite 2 Eureka Springs, AR 72632 Fayetteville 1420 Augustine Lane, Suite 1 Fayetteville, AR 72703

> Sheridan 206 N Rose Street Sheridan, AR 72150



EXHIBIT "C"FILE[
Faulkner County Title Company

A Division of

A Division of

Sing Stonal Title Compan

Conway

Little Rock

Locust Street

1001 W. Markham Street #100

Little Rock, AR 72201

CO & PROBATE CLERI

First National Title Company

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

June 23, 2020

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

2020 JUN 29 PM 3: 53

LAKE BELLA VISTA ANNEXATION EXHIBIT "C-1"

BETSY HARRELL CO & PROBATE CLERK BENTON COUNTY AR

CITY OF BENTONVILLE 15-81050-000 15-81050-001

2020 JUN 29 PM 3: 53

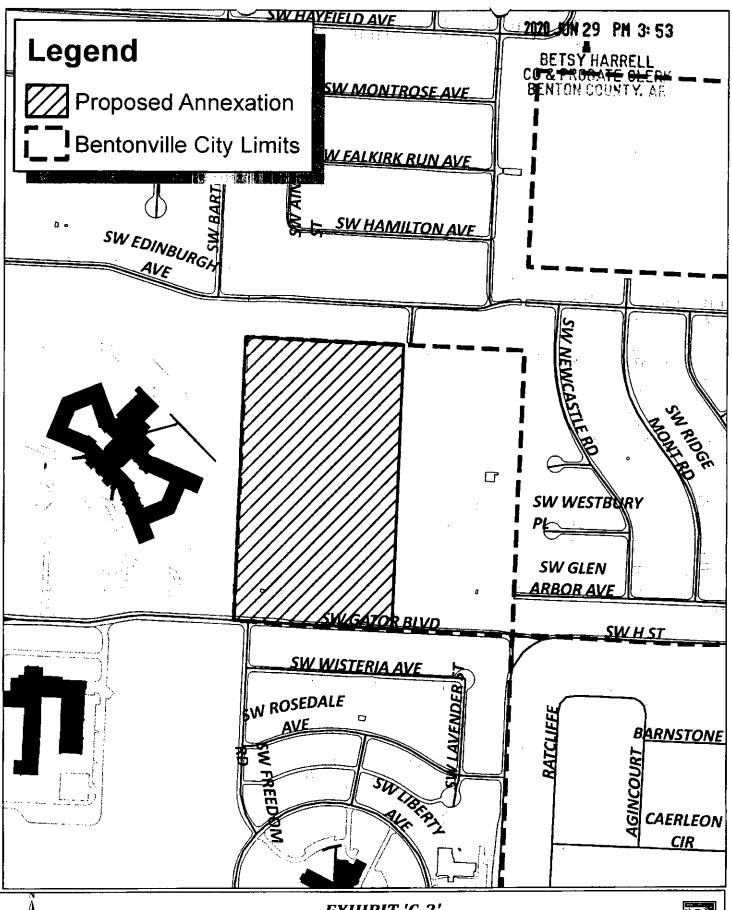
Lake Bella Vista Annexation Exhibit "C-2"

BETSY HARRELL CO & PROBATE CLERK BENTON COUNTY, AR

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1 inch = 417 feet

EXHIBIT 'C-2'
Trenton Harmon Annexation



EXHIBIT "D"

Greetings:

This letter is given in connection with what is understood to be an effort to voluntarily annex certain real property (Lake Bella Vista Annexation) 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.

-2020 JUN 29 PM 3: 5

2020 JUN 29 PM 3: 53

Lake Bella Vista Annexation Exhibit "D-1"

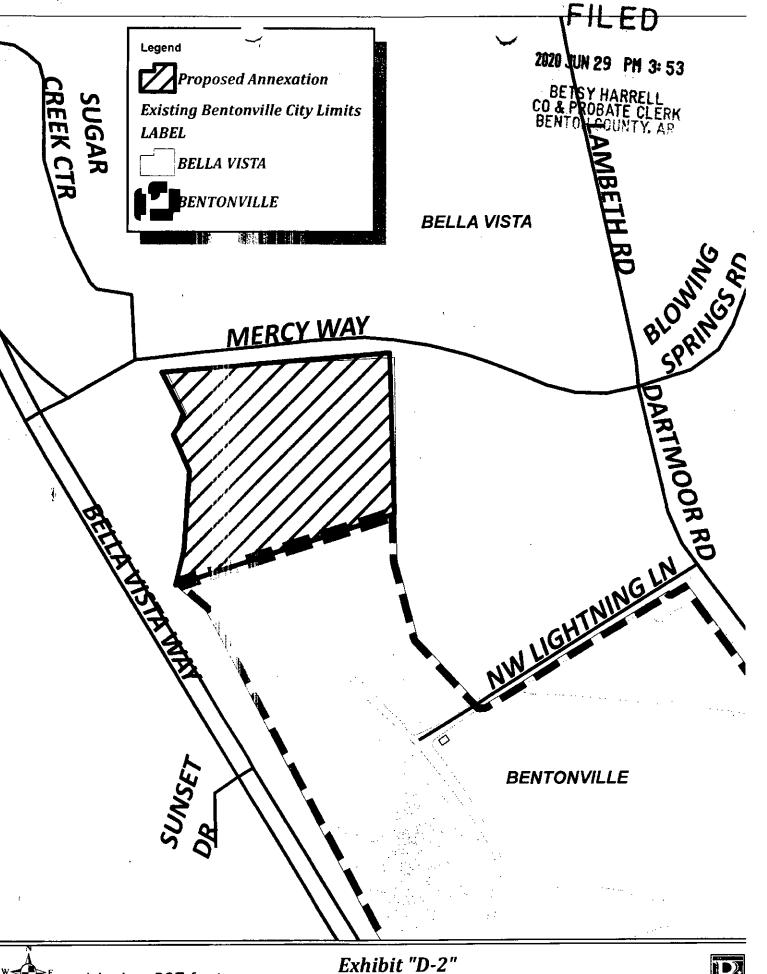
BETSY HARRELL CO & PROBATE CLERK BENTON COUNTY, AS

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H





Lake Bella Vista Annexation



2029 JUN 29 PM 3: 54

Lake Bella Vista Annexation Exhibit "A"

BETSY HARRELL CO & PROBATE CLERK BENTON COUNTY, AP

Part of the SW ¼ of the NW ¼ of Section 1, Township 20N, Range 31W, Benton County, Arkansas and more particularly described as follows:

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2020 JUN 29 PM 3: 55

BETSY HARRELL CO & PROBATE CLERK BENTON COUNTY, AP

June 26, 2020

Hon. Betsy Harrell, County Clerk Benton County Administration Building 215 East Central Bentonville, AR 72712

Re: Lake Bella Vista Annexation.

Dear Ms. Betsy Harrell:

This letter accompanies the voluntary annexation petition being filed today by me on behalf of the City of Bentonville. In addition to the petition, accompanying this letter, please find:

1) a copy of the Arkansas GIS Office approval of the legal description as provided for in § 14-40-101 of the Arkansas Code.

Item 1) is not required by the 100% annexation statute, but does show up elsewhere in the Code so we thought it appropriate to provide it.

I am aware the County Judge has authority to require adjoining road right-of-way be added to this annexation. My review indicates there is no adjoining road right-of-way with respect to this proposed annexation.

Sincerely,

James M. Wheeless, GIS Coordinator

City of Bentonville

enc

BENTON COUNTRY

NUMBER STATE OF ARKANSAS MECONIMIENT

BETSY HARRELL

COUNTY CLERK & VOTER REGISTRAR

215 EAST CENTRAL, SUITE 217
BENTONVILLE, AR 72712-5373
479-271-1013
Fax: 479-271-1019

September 16, 2020

PROBATE COURT CLERK
COURTHOUSE, 102 N.E. "A" STREET
BENTONVILLE, AR 72712-5350
479-271-5727

Fax: 479-271-1712

Honorable John Thurston Secretary of State Room 256 State Capitol Little Rock, AR 72201-1094

RE: The City of Bentonville
Trent and Sarah Harmon
Benton County Court Case No. CC# 2020-10

Dear Secretary Thurston:

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 15, 2020

3. Ordinance 2020-164 adopted on July 15,2020, by the City of Bentonville.

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

Sincerely,

Betsy Harrell by Chermyson

BH/cno Enclosures

cc:

Roderick Grieve

Benton County Assessor

NW Arkansas Regional Planning Commission

1311 Clayton Street Springdale, AR 72765

Benton County 9-1-1 Administration

ROGERS OFFICE 2111 W. WALNUT (479) 636-3727 FAX (479) 636-4922 ROGERS ARCHIVES 2111 W. WALNUT (479) 636-1037 FAX (479) 636-1053

SILOAM SPRINGS OFFICE 707 S. LINCOLN 479-271-1013 Fax (479) 524-8534

STATE OF ARKANSAS-

BETSY HARRELL

COUNTY CLERK & VOTER REGISTRAR

215 EAST CENTRAL, SUITE 217 BENTONVILLE, AR 72712-5373 479-271-1013 Fax: 479-271-1019

September 16, 2020

PROBATE COURT CLERK

COURTHOUSE, 102 N.E. "A" STREET BENTONVILLE, AR 72712-5350 479-271-5727

Fax: 479-271-1712

Honorable John Thurston Secretary of State Room 256 State Capitol Little Rock, AR 72201-1094

RECEIVED

SEP 2 1 2020

Arkansas Secretary of State

RE: The City of Bentonville City of Bentonville Annexation Benton County Court Case No. CC# 2020-09

Dear Secretary Thurston:

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2. Order Authorizing Annexation entered on July 15,2020

3. Ordinance 2020-163 adopted on July 15, 2020, by the City of Bentonville.

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

Harrell by Cleenwar Betsy Harrell

BH/cno **Enclosures**

cc:

1

Roderick Grieve

Benton County Assessor

NW Arkansas Regional Planning Commission

1311 Clayton Street Springdale, AR 72765

Benton County 9-1-1 Administration

ROGERS OFFICE 2111 W. WALNUT (479) 636-3727 Fax (479) 636-4922

ROGERS ARCHIVES 2111 W. WALNUT (479) 636-1037 Fax (479) 636-1053 SILOAM SPRINGS OFFICE 707 S. LINCOLN 479-271-1013 Fax (479) 524-8534



2020 JUN 29 PN 3: 58
Department of Transformation

BETSY HARRELL CO & PROBATE CLERK BENTON COUNTY, AP and Shared Services Governor Asa Hutchinson Secretary Amy Fecher Director Shelby Johnson

June 18, 2020

Mr. Jim Wheeless GIS Coordinator – City of Bentonville 305 SW A Street Bentonville, AR 72712

RE: City of Bentonville Coordination Requirement

Mr. Wheeless,

Thank you for coordinating with our office as you seek to annex property into the City of Bentonville, AR located in Section 1, Township 20 North, Range 31 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 90^{th} General Assembly.

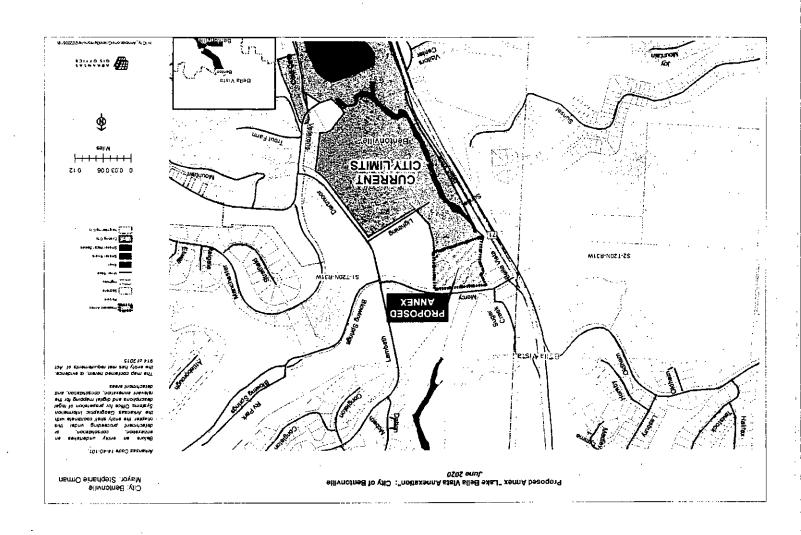
Our office will wait completion of any additional steps necessary for the proposed boundary change, which normally comes from the Arkansas Secretary of State Elections Division after any appropriate filing by your County Clerk.

Thank you,

Jennifer Wheeler, GIS Analyst

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

 $H:\City_Annexations\Cities\Bentonville\20200618\Doc\20200618_Bentonville_Annexation_Coordination_Letter.docx$



BETSY HARRELL CO & PROBATE CLERK FRA INTON COUNTY, ARE

2020 10N S6 PM 3: 53

FILED