



# JOHN THURSTON

ARKANSAS SECRETARY OF STATE

April 29, 2021

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

Re: City of Bentonville Annexation Ordinance 2020-228

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 (petition of all landowners)

Effective Date: 1/7/2021

County: Benton

City: Bentonville

City Ordinance: 2020-228

Dated: 12/8/2020

County Court Order: 2020-19

Date Filed: 10/30/2020

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,

A handwritten signature in black ink, appearing to read "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. Stephanie Orman, Mayor of Bentonville (w/encl)



# 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: 2020-228 Date approved: 12/08/2020

County Court Case No: 2020-19 Date Order Filed: 10/30/2020

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

Date Change Effective: 01/07/2021 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)*

Please indicate which ward(s) the territory will be assigned to: 3  
*(See A.C.A § 14-40-203)*

### 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 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: Stephanie Orman Title: Mayor

Street Address: 1000 SW 14th

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: *Tiffany McDonald* Title: Deputy County Clerk

Date: 3/23/21

*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: *[Signature]*

**FILED**

APR 29 2021

Arkansas Secretary of State

Rev. 2/2019

# BENTON COUNTY

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

**PROBATE COURT CLERK**  
COURTHOUSE, 102 N.E. "A" STREET  
BENTONVILLE, AR 72712-5350  
479-271-5727  
FAX: 479-271-1712

March 23, 2021

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

**RECEIVED**  
MAR 23 2021  
Arkansas  
Secretary of State

RE: The City of Bentonville  
Cristi R Gaffney  
Benton County Court Case No. CC# 2020-19

Dear Secretary Thurston:

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

1. Map (survey and vicinity map) of the affected area
2. Order Authorizing Annexation entered on October 30, 2020
3. Ordinance 2020-228 adopted on December 8, 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*  
Betsy Harrell *By T. Underwood*

BH/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

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

# BENTON COUNTY

STATE OF ARKANSAS

**BETSY HARRELL**

COUNTY CLERK & VOTER REGISTRAR

215 EAST CENTRAL, SUITE 217  
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March 23, 2021

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

RE: The City of Bentonville  
Cristi R Gaffney  
Benton County Court Case No. CC# 2020-19

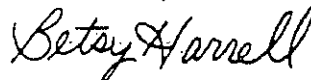
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1. Map (survey and vicinity map) of the affected area
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If you have any questions regarding this matter, please do not hesitate to call my office.

Sincerely,



Betsy Harrell



BH/tku  
Enclosures

cc: Roderick Grieve  
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SILOAM SPRINGS OFFICE  
707 S. LINCOLN  
479-271-1013  
FAX (479) 524-8534

FILED

2020 OCT 30 PM 3:48

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 2020-19

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

\_\_\_\_\_  
Date

10-30-2020

2020 4492

FILED

2020 NOV 24 PM 2:01

BETTY JARDINE  
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 ORDER NO. 2020-19

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

I, Barry Moehring, County Judge of Benton County, having reviewed the amended petition for annexation as well as the original petition, including the verification of the original petition, hereby find that the Amended Petition filed on November 23<sup>rd</sup>, 2020:

- 1) is in writing;
- 2) contains an attestation, found in the original Petition filed on October 20, 2020, 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

\_\_\_\_\_  
Date

11.24.2020

2020 5093

FILED

2021 MAR 12 PM 1:53

CLERK OF COURT  
BENTON COUNTY, AR

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

CC 2020-19

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

3.11.2021

\_\_\_\_\_  
Date

2021 1658

FILED



2021 MAR 11 11:27 12/11/2020 8:15:39 AM

Recorded - Benton County, AR

Brenda DeShields, Circuit Clerk

GETSYLL  
CO & PROBATE CLERK  
BENTON COUNTY, AR

**ORDINANCE NO. 2020-228**

**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 24th day of November, 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.



FILED

2021 MAR 11 PM 12: 28

Section 2. That the above described territory shall be annexed to and made a part of Ward 3 of the City of Bentonville, and the same shall henceforth be a part of said ward as fully as existing parts of said ward.

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 8 DAY OF December, 2020.

APPROVED: Stephanie Orman  
HON. STEPHANIE ORMAN, Mayor

ATTEST: Kirby Romines  
HON. KIRBY ROMINES, City Clerk



FILED

2021 MAR 11 PM 12: 28

GAFFNEY ANNEXATION  
Exhibit "A"

BETSY HARRELL  
CO & PROBATE CLERK  
BENTON COUNTY, OR

GAFFNEY, CRISTI R.

18-09135-000

18-09181-001

2021 1650

2021 MAR 11 PM 12: 28




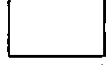

**GAFFNEY ANNEXATION**  
**Exhibit "B"**

SETCY HANWELL  
 CO & PROMOTE CLERK  
 BENTON 72173

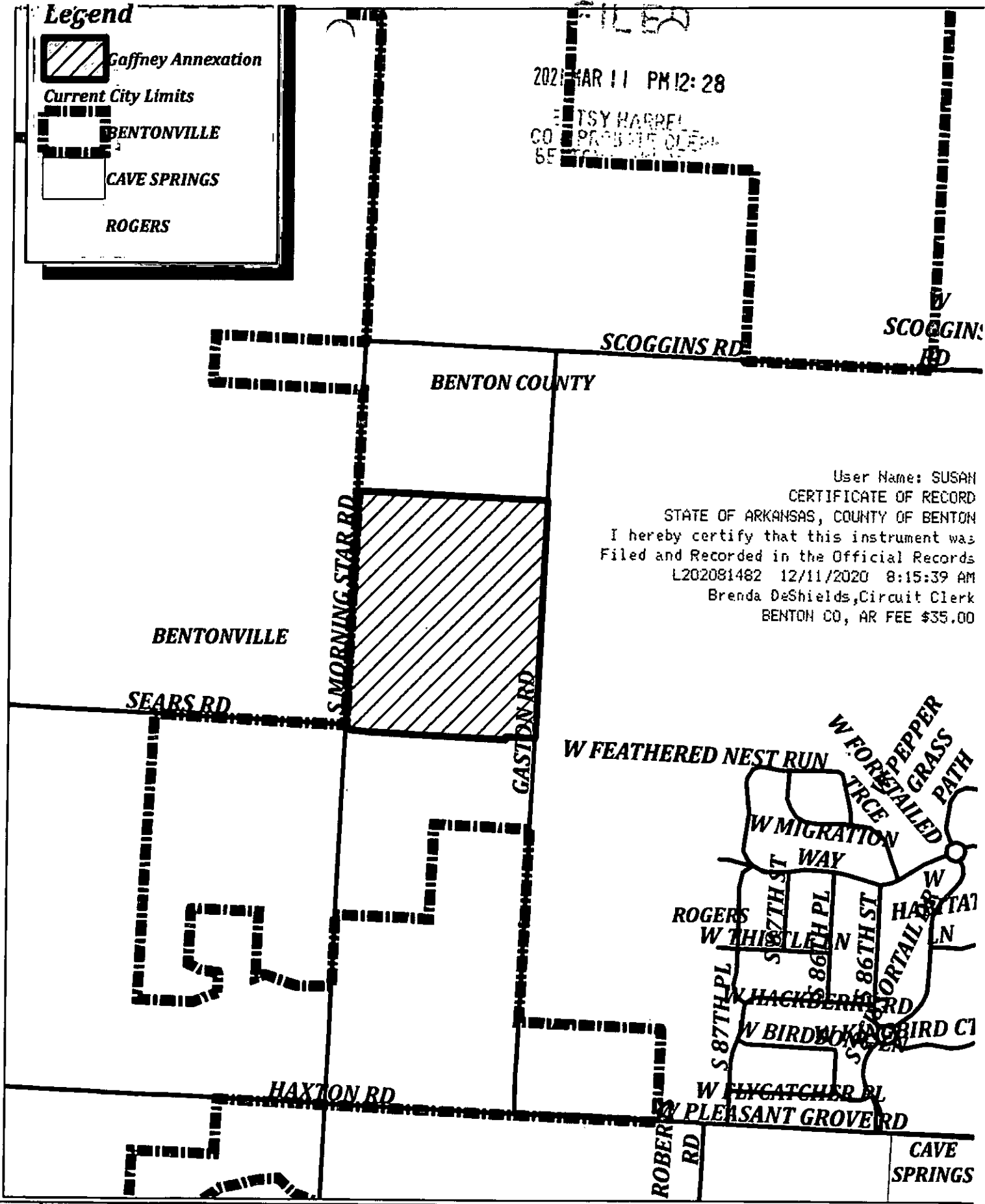
THE SOUTHWEST QUARTER (SW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) AND PART OF THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION TWENTY-THREE (23) AND PART OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHEAST QUARTER (NE 1/4), ALL IN TOWNSHIP NINETEEN (19) NORTH, RANGE THIRTY-ONE (31) WEST, OF THE FIFTH PRINCIPAL MERIDIAN, BENTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT THE SOUTHEAST CORNER OF THE SW 1/4 OF THE SE 1/4 OF SAID SECTION 23, SAID POINT BEING A FOUND 5/8 INCH REBAR IN GASTON ROAD; THENCE ALONG THE SOUTH LINE OF SAID SW 1/4 OF THE SE 1/4, N87°32'23"W A DISTANCE OF 207.41 FEET TO A POINT; THENCE LEAVING SAID SOUTH LINE, S06°16'33"W A DISTANCE OF 21.95 FEET TO A SET IRON PIN WITH CAP "PLS 1156"; THENCE N76°13'50"W A DISTANCE OF 14.90 FEET TO A SET IRON PIN WITH CAP "PLS 1156"; THENCE N88°07'51"W A DISTANCE OF 115.02 FEET TO A SET IRON PIN WITH CAP "PLS 1156"; THENCE N87°08'16"W A DISTANCE OF 817.01 FEET TO A SET IRON PIN WITH CAP "PLS 1156"; THENCE N84°48'00"W A DISTANCE 138.74 FEET TO A SET IRON PIN WITH CAP "PLS 1156"; THENCE N02°20'32"E A DISTANCE OF 7.80 FEET TO THE SOUTH LINE OF SAID SW 1/4 OF THE SE 1/4 AND A SET IRON PIN WITH CAP "PLS 1156"; THENCE ALONG SAID SOUTH LINE, N87°32'23"W A DISTANCE OF 28.86 FEET TO THE SOUTHWEST CORNER OF SAID SW 1/4 OF THE SE 1/4 AND A SET "MAG" NAIL IN SOUTH MORNING STAR ROAD; THENCE LEAVING SAID SOUTH LINE AND ALONG THE WEST LINES OF SAID SW 1/4 OF THE SE 1/4 AND SAID NW 1/4 OF THE SE 1/4, N02°34'44"E A DISTANCE OF 1637.14 FEET TO A SET "MAG" NAIL IN SOUTH MORNING STAR ROAD; THENCE LEAVING SAID WEST LINES; S87°28'16"E A DISTANCE OF 1322.05 FEET TO THE EAST LINE OF SAID NW 1/4 OF THE SE 1/4 AND A FOUND 5/8 INCH REBAR IN GASTON ROAD; THENCE ALONG THE EAST LINES OF SAID NW 1/4 OF THE SE 1/4 AND SAID SW 1/4 OF THE SE 1/4, S02°32'52"W A DISTANCE OF 1635.55 FEET TO THE POINT OF **BEGINNING**, CONTAINING 50.10 ACRES, MORE OR LESS, AND SUBJECT TO THE RIGHT OF WAY SOUTH MORNING STAR ROAD ON THE WEST SIDE THEREOF AND THE RIGHT OF WAY OF GASTON ROAD ON THE EAST SIDE THEREOF AND ALL RIGHTS OF WAY, EASEMENTS OR RESTRICTIVE COVENANTS OF RECORD OR FACT.


**Legend**

-  Gaffney Annexation
-  Current City Limits
-  BENTONVILLE
-  CAVE SPRINGS
-  ROGERS

FILED  
 2021 MAR 11 PM 12:28  
 TSY HARREL  
 CO. PROBATE CLERK  
 SE



User Name: SUSAN  
 CERTIFICATE OF RECORD  
 STATE OF ARKANSAS, COUNTY OF BENTON  
 I hereby certify that this instrument was  
 Filed and Recorded in the Official Records  
 L202081482 12/11/2020 8:15:39 AM  
 Brenda DeShields, Circuit Clerk  
 BENTON CO, AR FEE \$35.00

  
 1 inch = 833 feet

**EXHIBIT 'B'**  
**GAFFNEY ANNEXATION 2021 1652**



FILED

2020 NOV 23 PM 2:53

BETSY HARRELL  
CO & PROBATE CLERK  
BENTON COUNTY, AR

THE COUNTY COURT OF BENTON COUNTY, ARKANSAS

CASE NO. 2020-19

IN RE: ANNEXATION OF PROPERTY CONTIGUOUS TO THE CITY OF BENTONVILLE  
BENTON COUNTY, ARKANSAS

**AMENDED PETITION FOR ANNEXATION OF PROPERTY**  
**CONTIGUOUS TO THE**  
**CITY OF BENTONVILLE, ARKANSAS**

COMES NOW the Petitioner, Christi R. Gaffney, owner of certain real properties located in Benton County, Arkansas, petition the Court as follows:

1. That the Petitioner constitutes the sole ownership of one hundred percent (100%) of the real property that is the subject of this action.

2. That said property is contiguous to and adjoins the City of Bentonville, Arkansas.

A map of the subject property is attached hereto as "Exhibit A". A survey and legal description of the subject property is attached hereto as "Exhibit B". The parcel number for property to be annexed is Benton County Parcel No. 18-09135-000.

4. The Petitioner respectfully requests that said property be released by the County and annexed to, added to, and included within the boundaries of the City of Bentonville, Arkansas, pursuant to A.C.A. § 14-40-609.

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

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DETSY HARRELL  
CO. & PROBATE CLERK  
BENTON COUNTY, AR

limited to the payment of required fees, the necessary permits, inspections and approvals

6. A letter demonstrating that Petitioner has coordinated with the Arkansas Geographic Information Systems Office, pursuant to A.C.A. § 14-40-101, has been attached hereto as "Exhibit C" and is hereby incorporated as though set forth fully herein.

7. A letter or title opinion from a certified title company verifying that the Petitioner is the owner of record of the subject property, pursuant to A.C.A. § 14-40-609, has been attached hereto as "Exhibit D" and is hereby incorporated as though set forth fully herein.

8. A letter or verification from a certified engineer verifying that the subject property is contiguous to the City of Bentonville and that no enclaves will be created if the property or properties are accepted by the city or town, pursuant to A.C.A. § 14-40-609, has been attached hereto as "Exhibit E" and is hereby incorporated as though set forth fully herein.

9. Arkansas Code Annotated §14-40-504 provides that "enclave" means "an unincorporated improved or developed area that is enclosed within and bounded on all sides by a *single* city or incorporated town."

10. Although the proposed annexation would create an "island," so-to-speak, of unincorporated land which is surrounded by incorporated land, the proposed annexation would not create an "enclave," as defined above, because the island would be bounded by two municipalities—Rogers and Bentonville. Additionally, the land proposed for annexation is currently part of a larger island which would be reduced in size by this proposed annexation.

11. The original Petition, filed on October 20, 2020, contains an attestation and a certification signed before a notary by the property owner of the subject property confirming her desire to be annexed and certifying that all of the above statements are accurate. The only

FILED

change in this amended petition is to revise Paragraph 5 to reflect the services the City of

2020 NOV 23 PM 2:53

Bentonville will provide in a manner acceptable to the City.

WHEREFORE, premises considered, the Petitioner prays that this Court ascertain the propriety of this petition pursuant to A.C.A. § 14-40-609, enter its order releasing the subject properties for annexation into the City of Bentonville to forward same to the City of Bentonville pursuant to A.C.A. § 14-40-609, and for all other reasonable and proper relief.

DEBRY HARGRELL  
CO. CLERK  
BENTON COUNTY, AR

CHRISTI R. GAFFNEY

BY: *W. Kellstrom*

---

WILL KELLSTROM, Her Attorney  
Arkansas Bar No. 2019145  
WATKINS, BOYER, GRAY & CURRY PLLC  
1106 West Poplar  
Rogers, AR 72756  
(479) 636-2168  
(479) 636-6098

# BENTON COUNTY

STATE OF ARKANSAS

**BETSY HARRELL**

**COUNTY CLERK & VOTER REGISTRAR**

215 EAST CENTRAL, SUITE 217  
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479-271-1013  
Fax: 479-271-1019

**PROBATE COURT CLERK**  
COURTHOUSE, 102 N.E. "A" STREET  
BENTONVILLE, AR 72712-5350  
479-271-5727  
FAX: 479-271-1712

November 10, 2020

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 by clearance*

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



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

2020 OCT 22 PM 4: 14

BETSY HARRELL  
COUNTY CLERK  
BENTONVILLE, AR  
CC 2020-19

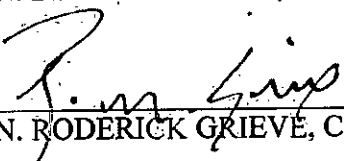
VERIFICATION OF PETITION FOR ANNEXATION PURSUANT TO ACA § 14-40-609

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 OCT 22 PM 4:14

HELEN BARNELL  
CLERK OF COURSE CLERK  
BENTON COUNTY AR

Date: October 22, 2020  
Subject: Proposed Annexation Checklist  
CC 2020-19 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;

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(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 (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

FILED  
2020 OCT 22 PM 4:13  
JESSY HANSELL  
CLERK OF PROBATE  
BENTON COUNTY AR

THE COUNTY COURT OF BENTON COUNTY, ARKANSAS

CASE NO. 2020- 19

IN RE: ANNEXATION OF PROPERTY CONTIGUOUS TO THE CITY OF BENTONVILLE  
BENTON COUNTY, ARKANSAS

**PETITION FOR ANNEXATION OF PROPERTY  
CONTIGUOUS TO THE  
CITY OF BENTONVILLE, ARKANSAS**

COMES NOW the Petitioner, Cristi R. Gaffney, owner of certain real property located in Benton County, Arkansas and more particularly described on "Exhibit A" hereto (the "Property"), petitions the Court as follows:

1. That the Petitioner constitutes the sole owner of one hundred percent (100%) of the Property that is the subject of this action.
2. That the Property is contiguous to and adjoins the City of Bentonville, Arkansas. A survey and legal description of the Property is attached hereto as "Exhibit A." A map of the Property is attached hereto as "Exhibit B." The parcel numbers for the Property are Benton County Parcel No. 18-09135-000 and Parcel No. 18-09181-001.
4. The Petitioner respectfully requests that the Property be released by the County and annexed to, added to, and included within the boundaries of the City of Bentonville, Arkansas, pursuant to A.C.A. § 14-40-609.
5. The City of Bentonville will extend law enforcement, life safety, and water and sewer services to the Property.

2000 OCT 22 PM 4:13  
LETSY HANSELL  
CLERK  
BENTON COUNTY, AR

6. A letter demonstrating that Petitioner has coordinated with the Arkansas Geographic Information Systems Office, pursuant to A.C.A. § 14-40-101, has been attached hereto as "Exhibit C" and is hereby incorporated as though set forth fully herein.

7. A title commitment, title search, letter or title opinion from a certified title company verifying that the Petitioner is the owner of record of the Property, pursuant to A.C.A. § 14-40-609, has been attached hereto as "Exhibit D" and is hereby incorporated as though set forth fully herein.

8. A letter or verification from a certified engineer verifying that the Property is contiguous to the City of Bentonville and that no enclaves will be created if the Property is accepted by the City of Bentonville, pursuant to A.C.A. § 14-40-609, has been attached hereto as "Exhibit E" and is hereby incorporated as though set forth fully herein.

9. Arkansas Code Annotated §14-40-504 provides that "enclave" means "an unincorporated improved or developed area that is enclosed within and bounded on all sides by a *single* city or incorporated town."

10. Although the proposed annexation would create an "island," so-to-speak, of unincorporated land that is surrounded by incorporated land, the proposed annexation would not create an "enclave," as defined above, because the island would be bounded by two municipalities, Rogers and Bentonville. Additionally, the Property proposed for annexation is currently part of a larger island that would be reduced in size by this proposed annexation.

WHEREFORE, premises considered, the Petitioner prays that this Court ascertain the propriety of this petition pursuant to A.C.A. § 14-40-609, enter its order releasing the Property for annexation into the City of Bentonville to forward same to the City of Bentonville pursuant to A.C.A. § 14-40-609, and for all other reasonable and proper relief.

PETITIONER:

CRISTI R. GAFFNEY

OCT 22 PM 4:13

BY: W. Kellstrom

WILL KELLSTROM  
Attorney Arkansas Bar No. 2019145  
WATKINS, BOYER, GRAY & CURRY, PLLC  
1106 West Poplar  
Rogers, AR 72756  
(479) 636-2168  
(479) 636-6098

VERIFICATION

I, Cristi R. Gaffney, do hereby certify, upon oath, that the statements and averments contained in the foregoing Petition for Annexation are true and correct to the best of my knowledge and belief.

Cristi R Gaffney  
Cristi R. Gaffney

Subscribed and sworn to before me this 7<sup>th</sup> day of October, 2020.



Kelsey K Berg  
NOTARY PUBLIC

My Commission Expires:

ATTESTATION

I, Cristi R. Gaffney, LLC, do hereby attest, upon oath, that I desire for the abovementioned Property to be annexed into the City of Bentonville.

Cristi R Gaffney  
Cristi R. Gaffney

Subscribed and sworn to before me this 7<sup>th</sup> day of October, 2020.



Kelsey K Berg

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**EXHIBIT A"**  
**SURVEY AND LEGAL DESCRIPTIONS OF PROPERTY**

WILLIAM W. MARRELL  
CLERK OF COURT  
BENTON COUNTY, ARK.

Survey attached.

Parcel No. 18-09135-000:

TRACT 1 PART OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 19 NORTH, RANGE 31 WEST, BENTON COUNTY, ARKANSAS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT AN EXISTING REBAR MARKING THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER. THENCE ALONG THE SOUTH LINE OF SAID FORTY, NORTH 89 DEGREES 58 MINUTES 56 SECONDS WEST, 1322.95 FEET TO AN EXISTING RAILROAD SPIKE MARKING THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER. THENCE ALONG THE WEST LINE OF THE WEST HALF OF THE SOUTHEAST QUARTER, NORTH 00 DEGREES 07 MINUTES 58 SECONDS EAST, 1645.44 FEET TO A SET P/K NAIL. THENCE LEAVING SAID WEST LINE, SOUTH 89 DEGREES 41 MINUTES 53 SECONDS EAST 1321.84 FEET TO A SET REBAR W/CAP ON THE EAST LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER. THENCE ALONG THE EAST LINE OF THE WEST HALF OF THE SOUTHEAST QUARTER, SOUTH 00 DEGREES 05 MINUTES 37 SECONDS WEST, 1638.88 FEET TO THE POINT OF BEGINNING, CONTAINING 49.85 ACRES AND SUBJECT TO ROAD RIGHTS OF WAY AND ANY EASEMENTS OF RECORD. TRACT 2B PART OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 19 NORTH, RANGE 31 WEST, BENTON COUNTY, ARKANSAS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT AN EXISTING REBAR MARKING THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 23. THENCE ALONG THE SOUTH LINE OF SAID FORTY, NORTH 89 DEGREES 58 MINUTES 56 SECONDS WEST 207.41 FEET TO THE POINT OF BEGINNING. THENCE LEAVING SAID SOUTH LINE, SOUTH 03 DEGREES 49 MINUTES 59 SECONDS WEST, 21.95 FEET TO A FENCE CORNER. THENCE ALONG EXISTING FENCE LINE THE FOLLOWING BEARINGS AND DISTANCES: NORTH 78 DEGREES 40 MINUTES 24 SECONDS WEST, 14.90 FEET TO A FENCE CORNER. SOUTH 89 DEGREES 25 MINUTES 35 SECONDS WEST, 115.02 FEET TO A FENCE CORNER. NORTH 89 DEGREES 34 MINUTES 50 SECONDS WEST, 817.01 FEET TO A FENCE CORNER. NORTH 87 DEGREES 14 MINUTES 34 SECONDS WEST 138.74 FEET TO A FENCE CORNER. NORTH 00 DEGREES 06 MINUTES 02 SECONDS WEST, 7.80 FEET TO THE NORTH LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 26. THENCE ALONG THE NORTH LINE OF SAID FORTY, SOUTH 89 DEGREES 58 MINUTES 56 SECONDS EAST, 1086.67 FEET TO THE POINT OF BEGINNING, CONTAINING 0.42 OF AN ACRE AND SUBJECT TO ROAD RIGHTS OF WAY AND ANY EASEMENTS OF RECORD.

Parcel No. 18-09181-001:

PART OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 19 NORTH, RANGE 31 WEST, BENTON COUNTY, ARKANSAS BEING

*Exhibit A – Survey and Legal Descriptions*

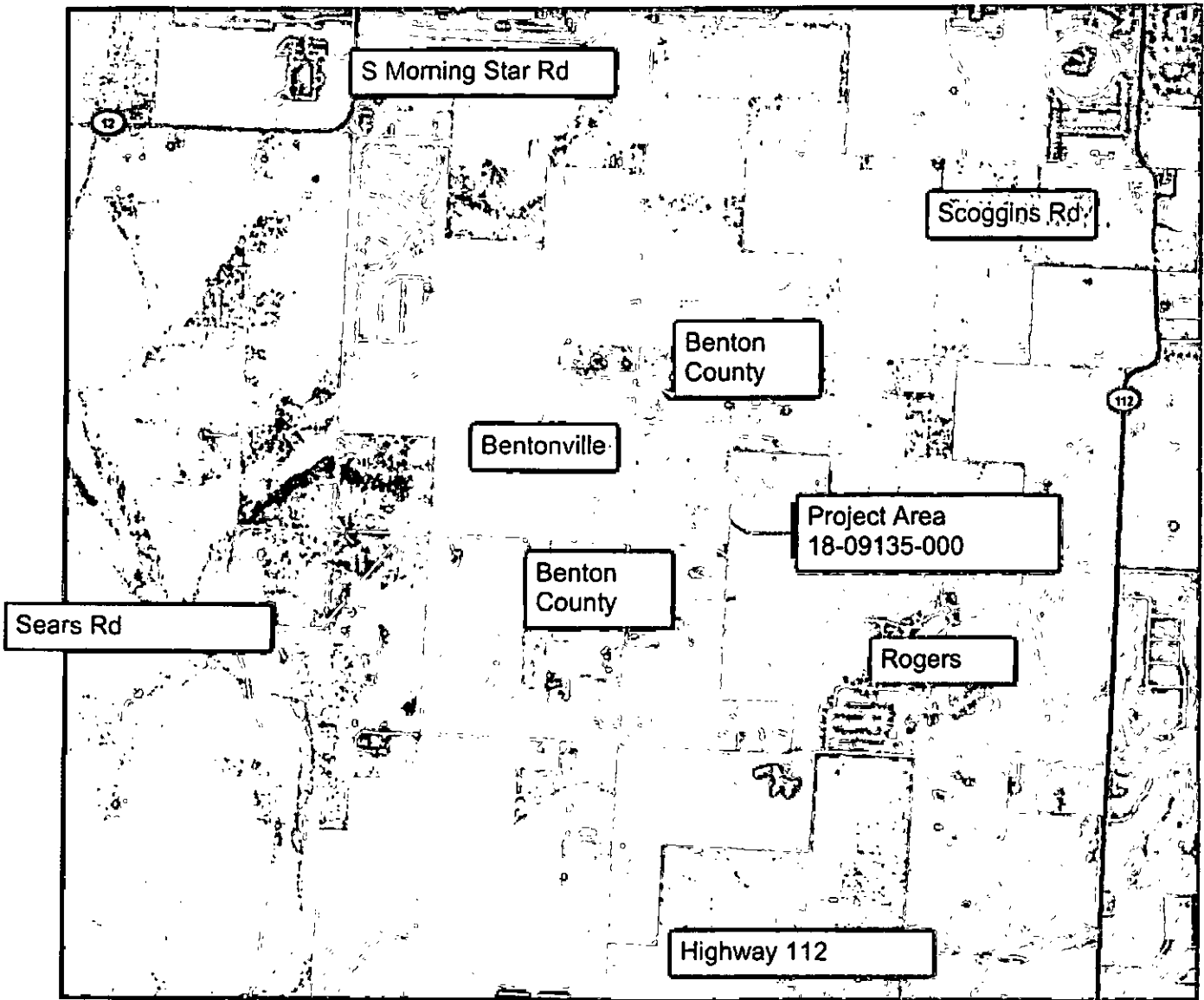


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ALL  
CLERK  
Y  
AN

MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT AN EXISTING REBAR MARKING THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 23, THENCE ALONG THE SOUTH LINE OF SAID FORTY NORTH 89 DEGREES 58 MINUTES 56 SECONDS WEST 207.41 FEET TO THE POINT OF BEGINNING, THENCE LEAVING SAID SOUTH LINE SOUTH 03 DEGREES 49 MINUTES 59 SECONDS WEST 21.95 FEET TO A FENCE CORNER, THENCE ALONG EXISTING FENCE LINE THE FOLLOWING BEARINGS AND DISTANCES: NORTH 78 DEGREES 40 MINUTES 24 SECONDS WEST 14.90 FEET TO A FENCE CORNER, SOUTH 89 DEGREES 25 MINUTES 35 SECONDS WEST, 115.02 FEET TO A FENCE CORNER, NORTH 89 DEGREES 34 MINUTES 50 SECONDS WEST, 817.01 FEET TO A FENCE CORNER, NORTH 87 DEGREES 14 MINUTES 34 SECONDS WEST, 138.74 FEET TO A FENCE CORNER, NORTH 00 DEGREES 06 MINUTES 02 SECONDS WEST, 7.80 FEET TO THE NORTH LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 26, THENCE ALONG THE NORTH LINE OF SAID FORTY, SOUTH 89 DEGREES 58 MINUTES 56 SECONDS EAST, 1086.67 FEET TO THE POINT OF BEGINNING.







Project Area  
Parcel ID: 18-09-135-000  
Acreage: +/-50.04  
Owner: Cristi R Gaffney



LEGAL DESCRIPTION

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THE SOUTHWEST QUARTER (SW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) AND PART OF THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION TWENTY-THREE (23) AND PART OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHEAST QUARTER (NE 1/4), ALL IN TOWNSHIP NINETEEN (19) NORTH, RANGE THIRTY-ONE (31) WEST, OF THE FIFTH PRINCIPAL MERIDIAN, BENTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE SW 1/4 OF THE SE 1/4 OF SAID SECTION 23, SAID POINT BEING A FOUND 5/8 INCH REBAR IN GASTON ROAD; THENCE ALONG THE SOUTH LINE OF SAID SW 1/4 OF THE SE 1/4, N87°32'23"W A DISTANCE OF 207.41 FEET TO A POINT; THENCE LEAVING SAID SOUTH LINE, S06°16'33"W A DISTANCE OF 21.95 FEET TO A SET IRON PIN WITH CAP "PLS 1156"; THENCE N76°13'50"W A DISTANCE OF 14.90 FEET TO A SET IRON PIN WITH CAP "PLS 1156"; THENCE N88°07'51"W A DISTANCE OF 115.02 FEET TO A SET IRON PIN WITH CAP "PLS 1156"; THENCE N87°08'16"W A DISTANCE OF 817.01 FEET TO A SET IRON PIN WITH CAP "PLS 1156"; THENCE N84°48'00"W A DISTANCE 138.74 FEET TO A SET IRON PIN WITH CAP "PLS 1156"; THENCE N02°20'32"E A DISTANCE OF 7.80 FEET TO THE SOUTH LINE OF SAID SW 1/4 OF THE SE 1/4 AND A SET IRON PIN WITH CAP "PLS 1156"; THENCE ALONG SAID SOUTH LINE, N87°32'23"W A DISTANCE OF 28.86 FEET TO THE SOUTHWEST CORNER OF SAID SW 1/4 OF THE SE 1/4 AND A SET "MAG" NAIL IN SOUTH MORNING STAR ROAD; THENCE LEAVING SAID SOUTH LINE AND ALONG THE WEST LINES OF SAID SW 1/4 OF THE SE 1/4 AND SAID NW 1/4 OF THE SE 1/4, N02°34'44"E A DISTANCE OF 1637.14 FEET TO A SET "MAG" NAIL IN SOUTH MORNING STAR ROAD; THENCE LEAVING SAID WEST LINES; S87°28'16"E A DISTANCE OF 1322.05 FEET TO THE EAST LINE OF SAID NW 1/4 OF THE SE 1/4 AND A FOUND 5/8 INCH REBAR IN GASTON ROAD; THENCE ALONG THE EAST LINES OF SAID NW 1/4 OF THE SE 1/4 AND SAID SW 1/4 OF THE SE 1/4, S02°32'52"W A DISTANCE OF 1635.55 FEET TO THE POINT OF BEGINNING CONTAINING 50.10 ACRES, MORE OR LESS, AND SUBJECT TO THE RIGHT OF WAY SOUTH MORNING STAR ROAD ON THE WEST SIDE THEREOF AND THE RIGHT OF WAY OF GASTON ROAD ON THE EAST SIDE THEREOF AND ALL RIGHTS OF WAY, EASEMENTS OR RESTRICTIVE COVENANTS OF RECORD OR FACT



**Advance Title**

PCI Advance Title, LLC.  
624 W. Walnut  
Rogers, AR 72756  
479.631.8274

2020 OCT 22 PH 4:13

CLERK OF COURT  
CLERK OF PROBATE CLERK  
BENTON COUNTY, AR

Date: 9-25-2020

Watkins, Boyer, Gray & Curry, PLLC  
1106 W Poplar  
Rogers, AR 72726  
479.636.2168

Subject: Opinion Letter of Ownership of Property

To Whom It May Concern,

Upon review of Parcel 18-09135-000 and 18-09181-001, which has a property address of S Morning Star Road, and conveyed in a Warranty Deed filed for record as instrument number 2017-37229 and a Quit Claim Deed filed for record as instrument number L201928657 and L202047984 in the records of Benton County, Arkansas: the current owner of record is: Christi R. Gaffney aka Cristi R. Gaffney.

Sincerely,

Authorized Countersignature

Larry Murphy  
Title Operations  
PCI Advance Title, LLC  
479-631-8274



Brenda DeShields-Circuit Clerk  
Benton County, AR  
Book/Ps: 2017/37229  
Term/Cashier: CASH2/Laura L. Tway  
06/22/2017 9:13:54AM  
Tran: 432628  
Total Fees: \$25.00

2023 OCT 22 PM 4:14

DELSY JARNELL  
Circuit Clerk  
BENTON COUNTY, AR

This Instrument Prepared By:  
Larry D. Douglas, P.A.  
P. O. Box 711  
Springdale, AR 72765

Book 2017 Page 37229  
Recorded in the Above  
DEED Book & Page  
06/22/2017

## WARRANTY DEED

### KNOW ALL MEN BY THESE PRESENTS:

That we, **Elaine Copsey and Vernon Copsey**, wife and husband, hereinafter called **Grantors**, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration to me in hand paid by **Christi R. Gaffney**, hereinafter called **Grantee**, do hereby grant, bargain, sell and convey unto the said Grantee and Grantee's heirs and assigns, the following described land, situated in the County of Benton, State of Arkansas, to-wit:

#### TRACT I

Part of the West Half of the Southeast Quarter of Section 23, Township 19 North, Range 31 West, Benton County, Arkansas being more particularly described as follows: Beginning at an existing rebar marking the Southeast Corner of the Southwest Quarter of the Southeast Quarter. Thence along the South line of said Forty, North 89 degrees 58 minutes 56 seconds West, 1322.95 feet to an existing railroad spike marking the Southwest Corner of the Southwest Quarter of the Southeast Quarter. Thence along the West line of the West Half of the Southeast Quarter, North 00 degrees 07 minutes 58 seconds East, 1645.44 feet to a set p/k nail. Thence leaving said West line, South 89 degrees 41 minutes 53 seconds East, 1321.84 feet to a set rebar w/cap on the East line of the Northwest Quarter of the Southeast Quarter. Thence along the East line of the West Half of the Southeast Quarter, South 00 degrees 05 minutes 37 seconds West, 1638.88 feet to the Point of Beginning, containing 49.85 acres and subject to Road Rights of Way and any Easements of Record.

#### TRACT 2B

Part of the Northwest Quarter of the Northeast Quarter of Section 26, Township 19 North, Range 31 West Benton County, Arkansas being more particularly described as follows: Commencing at an existing rebar marking the Southeast Corner of the Southwest Quarter of the Southeast Quarter of Section 23. Thence along the South line of said Forty, North 89 degrees 58 minutes 56 seconds West, 207.41 feet to the Point of Beginning. Thence leaving said South line, South 03 degrees 49 minutes 59 seconds West, 21.95 feet to a fence corner. Thence along existing


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WEST HARNELL  
fence line the following bearings and distances: North 78 degrees 40 minutes 24 seconds West, 14.90 feet to a fence corner. South 89 degrees 25 minutes 35 seconds West, 115.02 feet to a fence corner. North 89 degrees 34 minutes 50 seconds West, 817.01 feet to a fence corner. North 87 degrees 14 minutes 34 seconds West, 138.74 feet to a fence corner. North 00 degrees 06 minutes 02 seconds West, 7.80 feet to the North line of the Northwest Quarter of the Northeast Quarter of Section 26. Thence along the North line of said Forty, South 89 degrees 58 minutes 56 seconds East, 1086.67 feet to the Point of Beginning, containing 0.42 of an acre and subject to Road Rights of Way and any Easements of Record.

The Grantor, Elaine Copsey, reserves a life estate in the above described property with the use and benefit of said property for her lifetime.

TO HAVE AND TO HOLD the said lands and appurtenances thereunto belonging unto the said Grantee and Grantee's heirs and assigns forever. And we, the said Grantors, hereby covenant that we are lawfully seized of said land and premises, and that we will forever warrant and defend the title to the said lands against all legal claims whatever.

WITNESS my hand and seal on this 15 day of May 2017.

  
ELAINE COPSEY

  
VERNON COPSEY

2020 OCT 22 PM 4: 14

DEED CLERK  
BENTON COUNTY, AR

Book 2017 Page 37231  
Recorded in the Above  
DEED Book & Page  
06/22/2017

Benton County, AR  
I certify this instrument was filed on  
06/22/2017 9:13:54AM  
and recorded in DEED Book  
2017 at pages 37229 - 37231  
Brenda DeShields-Circuit Clerk

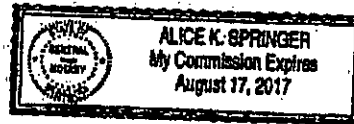
ACKNOWLEDGMENT

*Nebraska*  
STATE OF ARKANSAS )  
*Blaine* ) ss.  
COUNTY OF WASHINGTON )

On this 15<sup>th</sup> day of May, 2017, before me, a notary public, qualified and acting, within and for the County and State aforesaid, personally appeared Elaine Copsey and Vernon Copsey, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the foregoing instrument and acknowledged that they had executed the same for the purposes therein set forth.

*Alice K. Springer*  
NOTARY PUBLIC

My Commission Expires:



I certify under penalty of false swearing that at least the legally correct amount of documentary stamps have been placed on this instrument.

Signed: Larry Douglas att.  
Grantee  
42911 E. North Loup Drive Rd.  
Address  
Brewster, NE.  
68821



L201928657 6/10/2019 8:24:06 AM  
Recorded - Benton County, AR  
Brenda DeShields, Circuit Clerk

2019 OCT 22 PM 4: 14

REC'D / HANWELL  
CC & PROPRATE CLERK  
BENTON COUNTY, AR

This instrument was prepared by:  
Robert D. Stowell, #14066  
Stowell, Geweke & Piskorski P.C., L.L.O.  
1345 M Street, P.O. Box 40  
Ord, NE 68862-0040

## QUITCLAIM DEED

**Elaine M. Copsey, GRANTOR**, in consideration of ONE DOLLAR AND OTHER VALUABLE CONSIDERATION (\$1.00 & OVC), received from **GRANTEE, Cristi R. Gaffney**, quitclaims and conveys to **GRANTEE** the following described real estate (as defined in Neb.Rev.Stat. §76-201):

### TRACT 1

Part of the West Half of the Southeast Quarter of Section 23, Township 19 North, Range 31 West, Benton County, Arkansas being more particularly described as follows: Beginning at an existing rebar marking the Southeast Corner of the Southwest Quarter of the Southeast Quarter. Thence along the South line of said Forty, North 89 degrees 58 minutes 56 seconds West, 1322.95 feet to an existing railroad spike marking the Southwest Corner of the Southwest Quarter of the Southeast Quarter. Thence along the West line of the West Half of the Southeast Quarter, North 00 degrees 07 minutes 58 seconds East, 1645.44 feet to a set p/k nail. Thence leaving said West line, South 89 degrees 41 minutes 53 seconds East 1321.84 feet to a set rebar w/cap on the East line of the Northwest Quarter of the Southeast Quarter. Thence along the East line of the West Half of the Southeast Quarter, South 00 degrees 05 minutes 37 seconds West, 1638.88 feet to the Point of Beginning, containing 49.85 acres and subject to Road Rights of Way and any Easements of Record.

### TRACT 2B

Part of the Northwest Quarter of the Northeast Quarter of Section 26, Township 19 North, Range 31 West, Benton County, Arkansas being more particularly described as follows: Commencing at an existing rebar marking the Southeast Corner of the Southwest Quarter of the Southeast Quarter of Section 23. Thence along the South line of said Forty, North 89 degrees 58 minutes 56 seconds West 207.41 feet to the Point of Beginning. Thence leaving said South line, South 03 degrees 49 minutes 59 seconds West, 21.95 feet to a fence corner. Thence along existing fence line the following bearings and distances: North 78 degrees 40 minutes 24 seconds West, 14.90 feet to a fence corner. South 89 degrees 25 minutes 35 seconds West, 115.02 feet to a fence corner. North 89 degrees 34 minutes 50 seconds West, 817.01 feet to a fence corner. North 87 degrees 14 minutes 34 seconds West 138.74 feet to a fence





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JUSTICE  
CLERK  
BENTON COUNTY, AR

**QUITCLAIM DEED**

KNOW ALL MEN BY THESE PRESENTS THAT:

That Dale R. Nyhus, a single person, Christy Nyhus, a single person, and Orville K. Nyhus, a single person, Grantors, for One Dollar (\$1.00) and other good and valuable consideration paid by Cristi R. Gaffney, a married person, Grantees, the receipt of which is hereby acknowledged, do hereby Grant, Sell, Convey and Quit Claim unto said Cristi R. Gaffney, a married person, and unto Grantee's heirs and assigns forever, all of their right, title, interest, equity and estate in and to the following lands lying in Benton County, Arkansas, to-wit:

Part of the Northwest Quarter of the Northeast Quarter of Section 26, Township 19 North, Range 31 West, Benton County, Arkansas being more particularly described as follows: Commencing at an existing rebar marking the Southeast Corner of the Southwest Quarter of the Southeast Quarter of Section 23, thence along the South line of said forty North 89 degrees 58 minutes 56 seconds West 207.41 feet to the point of beginning, thence leaving said South line South 03 degrees 49 minutes 59 seconds West 21.95 feet to a fence corner, thence along existing fence line the following bearings and distances: North 78 degrees 40 minutes 24 seconds West 14.90 feet to a fence corner, South 89 degrees 25 minutes 35 seconds West, 115.02 feet to a fence corner, North 89 degrees 34 minutes 50 seconds West, 817.01 feet to a fence corner, North 87 degrees 14 minutes 34 seconds West, 138.74 feet to a fence corner, North 00 degrees 06 minutes 02 seconds West, 7.80 feet to the North line of the Northwest Quarter of the Northeast Quarter of Section 26, thence along the North line of said forty, South 89 degrees 58 minutes 56 seconds East, 1086.67 feet to the point of beginning.

Subject to easements, rights-of-way, and protective covenants of record, if any.  
Subject to all prior mineral reservations and oil and gas leases.

TO HAVE AND TO HOLD the same unto the said Grantee, and unto Grantee's heirs and assigns forever, with all tenements, appurtenances and hereditaments thereunto belonging.

WITNESS our signatures this 15<sup>th</sup> day of May, 2020.

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  
Address: WACO AS AGENT  
HC 63 BOX 8  
ROCKWELL, NE 68281

2020 OCT 22 PM 4:14

Dale R. Nyhus  
Dale R. Nyhus

Christy Nyhus  
Christy Nyhus

DELO W WRIGHT  
CLERK & PROBATE CLERK  
BENTON COUNTY, AR

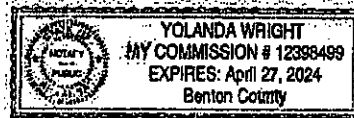
**ACKNOWLEDGMENT**

STATE OF Arkansas )  
COUNTY OF Benton )

BE IT REMEMBERED, that on this day came before the undersigned, a Notary Public, duly commissioned, qualified and acting, within and for the said County and State, and appeared in person the within named Dale R. Nyhus and Christy Nyhus, to me personally known, who stated that they had so signed, executed and delivered said instrument for the consideration, uses and purposes therein mentioned and set forth.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal this 15<sup>th</sup> day of May, 2020.

Yolanda Wright  
Notary Public



FILED

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Orville K. Nyhus  
Orville K. Nyhus  
NOTARY PUBLIC  
SOUTH DAKOTA  
SOUTH DAKOTA

**ACKNOWLEDGMENT**

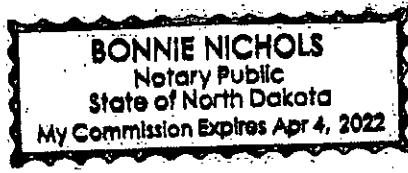
STATE OF North Dakota )  
COUNTY OF Mountain )

BE IT REMEMBERED, that on this day came before the undersigned, a Notary Public, duly commissioned, qualified and acting, within and for the said County and State, and appeared in person the within named **Orville K. Nyhus**, to me personally known, who stated that he had so signed, executed and delivered said instrument for the consideration, uses and purposes therein mentioned and set forth.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal this 15<sup>th</sup> day of May, 2020.

Bonnie Nichols  
Notary Public

Prepared by:  
Brian Blackman, Attorney  
2592 S. 48<sup>th</sup> Street  
Springdale, AR 72762





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

2020 OCT 22 PM 4:14

DEPUTY MARRELL  
CLERK & PROBATE CLERK  
BENTON COUNTY AR

**Affidavit of Compliance**



File Number: 1905571-112

**Grantee:** CRISTI R. GAFFNEY  
**Mailing Address:** HC 63 BOX 8  
ROOSTER NE 688210000

**Grantor:** DALE R. NYHUS, CHRISTY NYHUS AND ORVILLE K. NYHUS  
**Mailing Address:** 9800 S MORNINGSTAR RD  
BENTONVILLE AR 727120000

**Property Purchase Price:** \$0.00  
**Tax Amount:** \$0.00

**County:** BENTON  
**Date Issued:** 08/06/2020  
**Affidavit ID:** 1640761344

The grantee/grantor claims the following exemption to the Real Estate Transfer Tax:

A transfer price of one hundred dollars (\$100) or less

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):** Cristi R. Gaffney

**Grantee or Agent Name (signature):** WACO as agent **Date:** 8/6/2020

**Address:** HC 63 Box 8

**City/State/Zip:** Rooster NE 68821

FILED

2020 OCT 22 PM 4: 14

HELSY HANNELL  
C. & PROBATE CLERK  
BENTON COUNTY, AR



CERTIFICATE OF RECORD  
STATE OF ARKANSAS, COUNTY OF BENTON  
I hereby certify that this instrument was  
Filed and Recorded in the Official Records  
in Doc Num L202047984  
08/08/2020 11:21:08 AM  
Brenda DeShields  
BENTON COUNTY Circuit Clerk & Recorder

# ENGINEERING SERVICES INC.

1207 S. Old Missouri Rd. • P.O. Box 282 • Springdale, Arkansas 72765-0282  
4203 Richmond Place. • Texarkana, Texas 75503-0004

Ph: 479-751-8733 • Fax: 479-751-8746  
Ph: 479-318-7248

October 1, 2020

2020 OCT 22 PM 4: 14

HEIDI WANNELL  
CITY & PROBATE CLERK  
BENTON COUNTY, AR

Will A Kellstrom  
Watkins, Boyer, Gray & Curry, PLLC  
1106 W. Poplar  
Rogers, AR 72756

Dear Mr. Kellstrom,

This letter is in regard to the proposed annexation of Benton County Parcel Number 18-09135-000 and Parcel No. 18-09181-001 into the City of Bentonville. As shown on the attached exhibit, the subject property is contiguous to the City of Bentonville along its west side. Although this proposed annexation would create an area of unincorporated land which is surrounded by incorporated land, said area would not constitute an "enclave" because it would be bordered by both the Cities of Rogers and Bentonville. Accordingly, no enclaves would be created by this annexation.

Respectfully,



Blake Murray, P.E.  
Project Engineer

Enclosures



Brian J. Moore, P.E.  
President

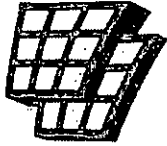
Tim J. Mays, P.E.  
Vice President

Jason Appel, P.E.  
Secretary/Treasurer

Jerry W. Martin  
Chairman of the Board

Consulting Engineers and Surveyors

[www.engineeringservices.com](http://www.engineeringservices.com)



**ARKANSAS  
GIS OFFICE**

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

2020 OCT 22 PM 4:13

RECEIVED  
CLERK OF THE COUNTY CLERK  
BENTON COUNTY, AR

September 25, 2020

Mr. Will A. Kellstrom  
Watkins, Boyer, Gray & Curry, PLLC  
1106 W. Poplar  
Rogers, AR 72756

RE: City of Bentonville Annexation Coordination Requirement

Mr. Kellstrom,

Thank you for coordinating with our office as you seek to annex property into the City of Bentonville, AR located in Section 23, Township 19 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<sup>th</sup> General Assembly.

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

Thank you,

Jennifer Wheeler, GIS Analyst

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

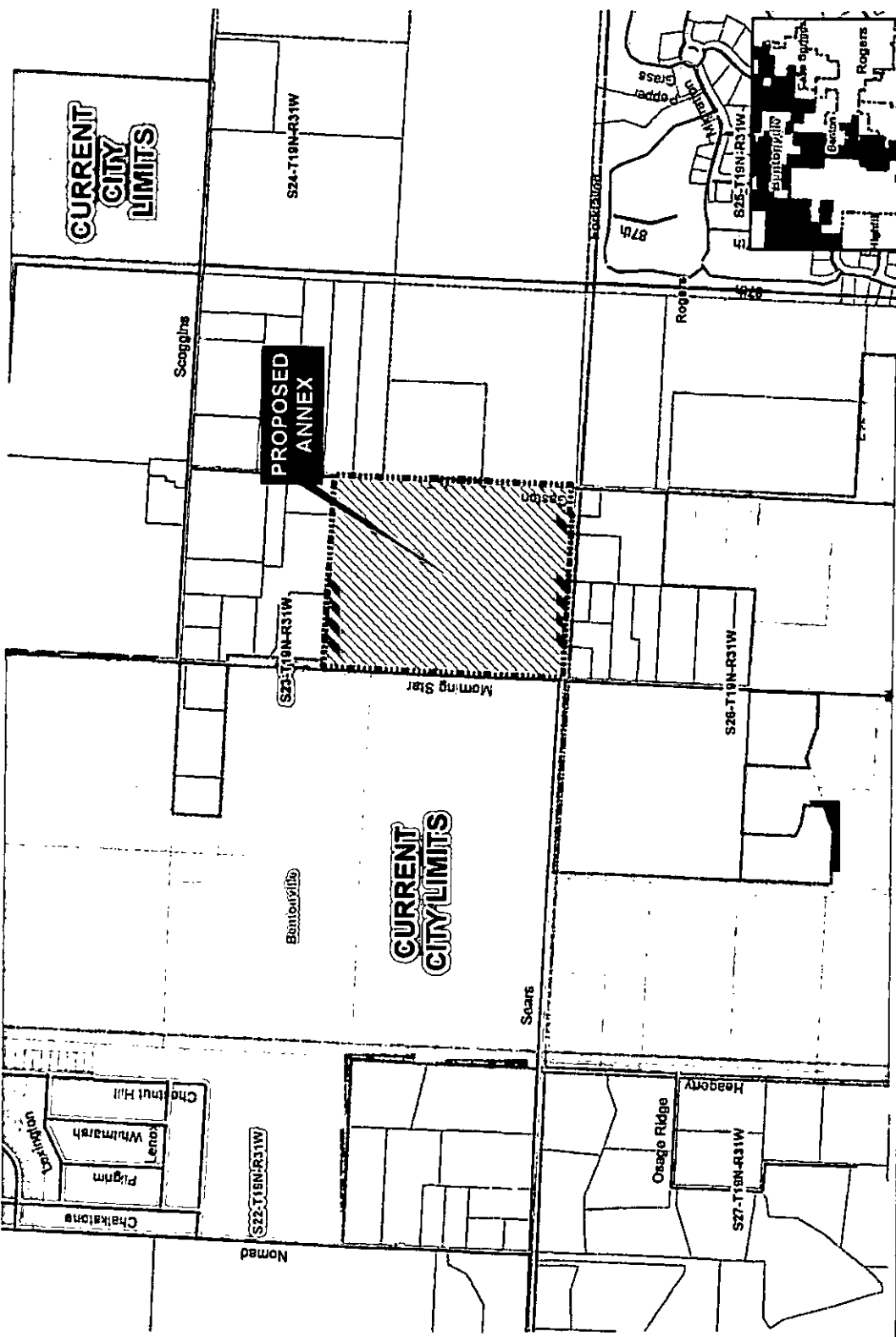
H:\City\_Annexations\Cities\Bentonville\20200927\Doc\20200927\_Bentonville\_Annexation\_Coordination\_Letter.docx

**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 Bentonville  
September 2020

City: Bentonville  
Mayor: Stephanie Orman

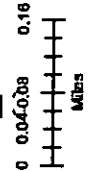


Arizona Code 14-40-101.  
Before an entity undertakes an annexation, consolidation, or detachment proceeding under this chapter, the entity shall coordinate with the Arizona Geographic Information Systems Office for preparation of legal descriptions and digital mapping for the relevant annexation, consolidation, and detachment areas.

The map contained herein, is evidence, the city has met requirements of Act 914 of 2015

- Proposed Annex
- Current City Limits
- Interstate
- Highway
- Major Road
- Existing City
- Unincorporated City

OCT 22 PM 4:11  
REGISTRAR CLERK  
BENTONVILLE, AR



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