



ARKANSAS SECRETARY OF STATE

MARK MARTIN

August 30, 2017

The Honorable Dawn Porterfield
Lonoke County Clerk
P.O. Box 188
Lonoke, AR 72086

Re: City of Cabot Annexation Ordinance 33 of 2016

Dear Ms. Porterfield,

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

Filing Type: Annexation by petition pursuant to A.C.A § 14-40-609 (petition by 100% of the land owners)

Effective Date: unknown

County: Lonoke

City: Cabot

City Ordinance: 33 of 2016

Dated: 01/16/2017

County Court Order: C-2016-157

Filed: 05/19/2016

Hon. Doug Erwin, Lonoke County Judge

A file marked copy of the ordinance, court order and exhibits submitted to our Office are enclosed. By copy of this letter (and its enclosures), the Secretary of State hereby notifies the appropriate mapping authorities for Arkansas. Please retain these copies as official record of the filing of the municipal boundary change by the Arkansas Secretary of State.

If you have any questions or concerns regarding this pending filing, please contact our office at 501-682-3401.

Sincerely,

A handwritten signature in cursive script that reads "Cynthia Fisher".

Cynthia Fisher
Arkansas Secretary of State Legal Division
500 Woodlane St, Room 256
Little Rock, AR 72201
501-682-3401

cc: Arkansas Geographic Information Systems Office (w/ encl)
Arkansas Highway and Transportation Department Mapping Department (w/ encl)
Department of Finance and Administration (w/encl)
Arkansas Public Service Commission (w/encl)
UALR Institution for Economic Advancement (w/encl)
Tom-Tom (w/encl)
Ms. Tammy Yocom, Cabot City Clerk and Treasurer (w/encl)





Arkansas Secretary of State

Mark Martin Arkansas Secretary of State, 500 Woodlane Ave, Little Rock, AR 72201-1094

Municipal Boundary Change Checklist

County: Lonoke City/Town: Cabot

City Ordinance/Resolution No: 33 of 2016 Date approved: 01/16/2017

County Court Case No: C-2016-157 Date Order Filed: 05/19/2016

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

Date Change Effective: _____ Set by: Municipal Ordinance Emergency Clause Default
(Required by Act 653 of 2017)

For Circuit Court Challenge: Date Order Filed: _____ Upheld Overturned Other *(attach explanation)*

Initiating party:

All Landowners Majority Landowners Municipal Governing Body State Other _____

Supporting Documentation attached *(check all that apply):*

- File marked copy of City Ordinance/Resolution *(required)*
- File marked copy of County Court Order *(required except for island annexation and annexation approved by election)*
- Copy of Arkansas GIS Office approved printed map and certification letter *(required)*
- Proof of Publication for all Legal Notices *(include Hearing, Election, and City Ordinance/Resolution notices)*
- File marked copy of Petition Part or File marked copy of the certified special election results *(if applicable)*
- File marked copy of Complaint and final Circuit Court Order *(Court Challenge only)*

Municipal Contact:

Name: Ms. Tammy Yocom Title: Cabot City Clerk and Treasurer

Street Address: 101 North Second St.

City: Cabot St: AR Zip code: 72023

Complete one form per ordinance/resolution, attach it as a cover page to the supporting document set and submit to the County Clerk's Office within 45 days of the Effective Date as required by Act 655 of 2017

County Official:

Signature: _____ Title: _____

Date: _____

Pursuant to Act 655 of 2017, County Officials must submit a file-marked copy of municipal boundary change documentation within 30 days of receipt to: Arkansas Secretary of State, Attn: Municipal Boundary Filing, 500 Woodlane Ave Suite 256, Little Rock, AR 72201-1094

Office of the Arkansas Secretary of State use only

Received by: *Cynthia Fisher*

FILED

AUG 30 2017

**Arkansas
Secretary of State**

CITY OF CABOT FILED

Tammy Yocom 2017 AUG 16 PM 1:55

City Clerk and Treasurer LONOKE COUNTY CLERK
DAWN PORTERFIELD
BY *DP* D.C.

May 10, 2017

Ms. Dawn Porterfield
Lonoke County Clerk
P.O. Box 188
Lonoke, AR 72086

Ms. Porterfield,

Please record the enclosed City of Cabot annexations in the Lonoke County books and return the paperwork to my attention.

Ordinance No. 33 of 2016
Ordinance No. 12 of 2017

Thank you.

Vicki Burt
Vicki Burt, Sr. Deputy City Clerk
City of Cabot
501-843-3566 ext. 1023

COPY

ORDINANCE NO. 33 of 2016

AN ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF CABOT, ARKANSAS, (COMMONLY REFERRED TO AS CLASS A TOOLING, INC.) AND MAKING SAME A PART OF THE CITY OF CABOT, ARKANSAS, ASSIGNING SAME TO WARDS, AND ZONING SAID ANNEXED TERRITORY; AND FOR OTHER PURPOSES

WHEREAS, an Amended Petition was filed on the 28th day of March 2016, with the County Clerk of Lonoke County, Arkansas, by Clifford Collins; legal counsel for Class A Tooling, Inc. (hereafter "Petitioner") one hundred percent (100%) of the total number of real estate owners of the hereinafter described territory praying that said territory be annexed to, and made a part of the City of Cabot, Arkansas; and,

WHEREAS, on the 19th day of May 2016, the County Court of Lonoke County, Arkansas, found that the Petition was signed by one hundred percent (100%) of the real estate owners in said territory; that said territory was contiguous and adjoining the present corporate limits of the City of Cabot, Arkansas; that an accurate plat or map of said territory had been filed with and made a part of said Petition, and that the territory has been properly coordinated with the Arkansas GIS office; and that all things pertaining thereto had been done in the manner prescribed by law, and that said lands and territory should be annexed to and made a part of the City of Cabot, Arkansas, subject to the acceptance of same by the City Council of said City at the proper time, as provided by law; and

WHEREAS, the time fixed by law for appealing from said Order of Annexation made by the County Court has expired and no appeal has been taken from said Order.

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

FILED
AUG 30 2017
Arkansas
Secretary of State

COPY



SECTION 1: The following described lands and territories annexed to the City of Cabot, by Order of the County Court of Lonoke County, Arkansas, by its Order of May 19th, 2016, be and are hereby accepted by the City of Cabot, Arkansas, said territory hereinafter described shall be hereafter deemed and taken to be a part and parcel of the limits of the City of Cabot, Arkansas, and the inhabitants residing therein shall have and enjoy all of the rights and privileges of the inhabitants within the original limits of the City of Cabot, Arkansas.

SECTION 2: The lands and territories are hereby annexed to and accepted by the City of Cabot, Arkansas, and particularly described as follows:

LOTS NO. 9 AND 10, GATEWAY COMMERCIAL ADDITION, CITY OF CABOT, LONOKE COUNTY, ARKANSAS

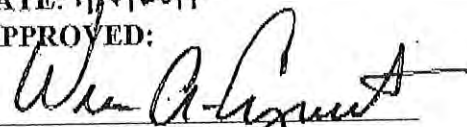
SECTION 3: The above described annexed lands and territories are hereby assigned and attached to Ward 1 of the City of Cabot, Arkansas, and the same shall henceforth be a part of said ward as fully as existing parts of said ward.

SECTION 5: Necessary urban services, such as fire and police protection along with ambulance services are to be extended to such area within a reasonable period of time.


SECTION 4: The above described annexed lands and territories are hereby zoned C-2.

SPONSOR:
William A. "Bill" Cypert, Mayor

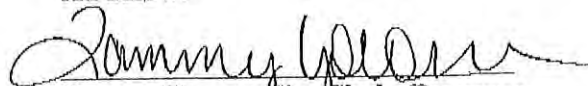
PASSED: 8-0
DATE: 1/16/2017
APPROVED:


William A. "Bill" Cypert, Mayor

APPROVED AS TO FORM:


Jim Taylor, City Attorney

ATTEST:


Tammy Yocom, City Clerk-Treasurer

IN THE COUNTY COURT OF LONOKE COUNTY, ARKANSAS

IN THE MATTER OF ANNEXING TO THE CITY OF CABOT, ARKANSAS, CERTAIN TERRITORY CONTIGUOUS TO THE CITY OF CABOT, LONOKE COUNTY, ARKANSAS

Case No. ~~C-2015-1159~~ ^{2016 MAY 19} AM 10: 14

LONOKE COUNTY CLERK
DAWN PORTERFIELD

BY DP D.C.

AMENDED ORDER

On this a regular day of a regular term of the County Court of Lonoke County, Arkansas, there is presented to the Court by Burns Properties, LLC, by and through David Burns, a petition for annexation of certain territory, hereinafter more particularly described, to the City of Cabot, Arkansas, and the Court being fully advised of the facts and the law, doth hereby FIND, ADJUDGE, and DECREE as follows:

The Court finds that the Petition was filed more than thirty (30) days prior to this date and that in said Petition David Burns was selected to file and present the Petition.

The Court doth doth find that a majority of the total number of real estate owners in the area affected by this Petition have signed said petition, if applicable, and that such majority owns a total of acreage affected.

The Court further finds that the territory sought to be annexed was accurately described in said Petition and that said territory is contiguous to the boundaries of the City of Cabot, Arkansas.

The Court further finds that attached and made a part of said Petition is an accurate map of the territory sought to be annexed to the City of Cabot.

The Court further finds that the prayer of the Petition is right and proper.

WHEREFORE, the Court doth hereby ORDER, ADJUDGE, and DECREE that the following described properties be the same and are hereby annexed to and made a part of the City of Cabot, Arkansas, to-wit:

LOTS NO. 9 AND 10, GATEWAY COMMERCIAL ADDITION, CITY OF CABOT, LONOKE COUNTY, ARKANSAS

The Court doth further order that the original papers in this cause be delivered to the Clerk of Lonoke County, Arkansas, same to be properly recorded upon the records of Lonoke County, Arkansas, and the Clerk, after properly recording and filing the original papers, prepare transcripts of same; that that one of the certified transcripts be delivered to the City of Cabot, Arkansas; one copy to the Secretary of State; and one copy to the Director of the Tax Division of the Arkansas Public Service Commission.

FILED

AUG 30 2017

Arkansas
Secretary of State

DATED THIS 19 DAY OF MAY, 2016.

Doug Erwin
JUDGE DOUG ERWIN

FILED
2016 MAY 19 AM 10:1
LONOKE COUNTY CLERK
DAWN PORTERFIELD
BY *DP* D.C.



**ARKANSAS
GIS OFFICE**

September 28, 2016

Mayor Bill Cypert
101 North Second St.
CABOT, AR 72023

RE: City of Cabot Annexation Coordination Requirement

Honorable Mayor Cypert,

Thank you for coordinating with our office as you seek to annex property into the City of Cabot, AR Amended Order for case number 2015-157, Lots 9 & 10, Gateway Commercial Addition, situated on Gateway Rd, in the southeast quarter of the southwest quarter of Section 22, Township 4 North, Range 10 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.

Based on the records we currently have in our mapping data, this proposed annexation would create an enclave within the city limits of Cabot. Lot 8 of Gateway Commercial Subdivision as described in Plat Cabinet 2, Page 872 of the Official Records of Lonoke County would become an enclave of unincorporated Lonoke County improved or developed that is enclosed within and bounded on all sides by the City of Cabot.

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,

Shelby D Johnson, State Geographic Information Officer
/sdj

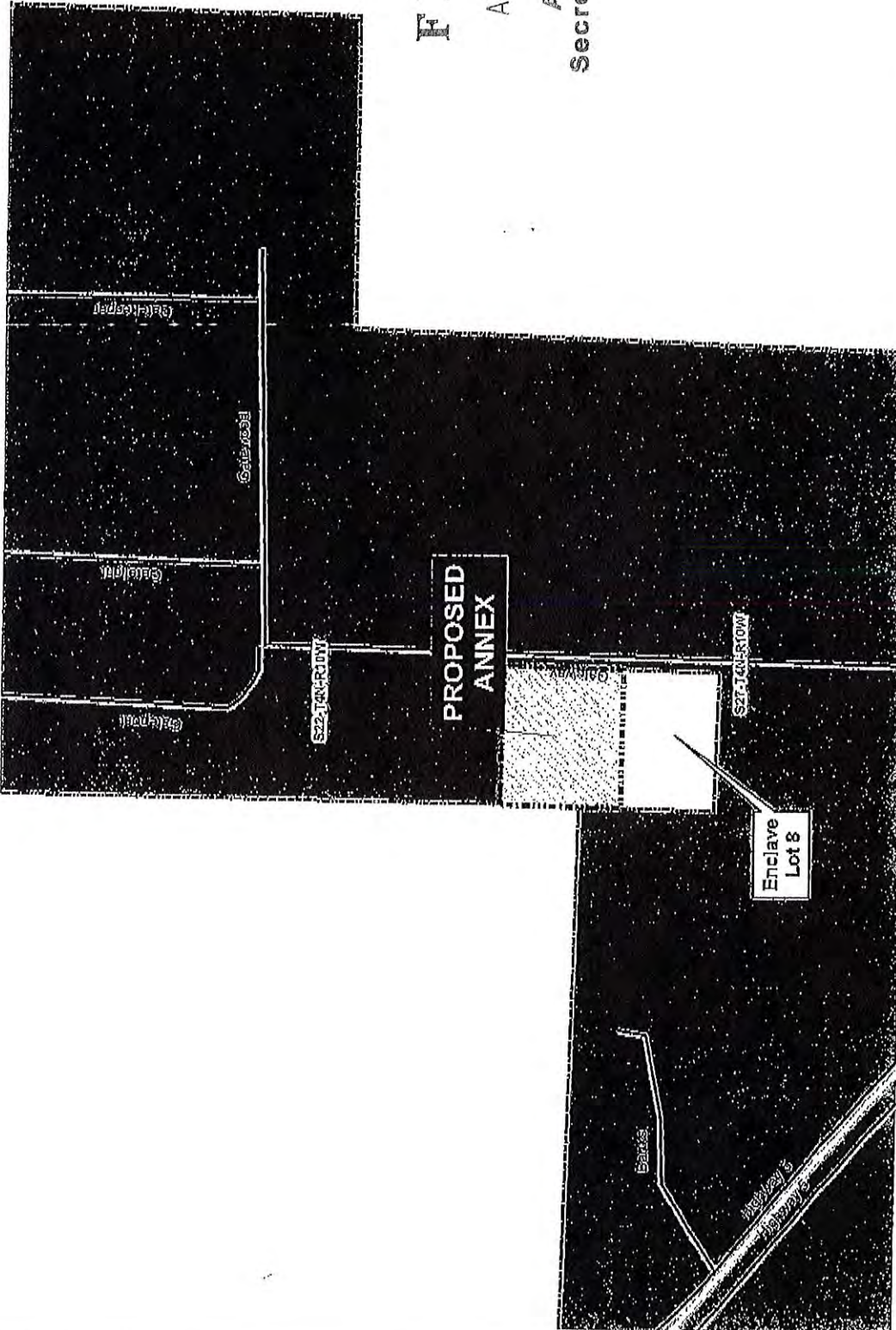
FILED

AUG 30 2017

**Arkansas
Secretary of State**

Proposed Annex Lots 9 & 10 Gateway Commercial Addition: City of Cabot
September 28, 2016

City: Cabot
Mayor: Bill Cypett



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 Corps for preparation of legal descriptions and digital mapping for the relevant annexation, consolidation, and detachment areas.

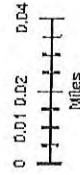
This map contained herein, its evidence, the entity files and requirements of Act 514 of 2015



FILED

AUG 30 2017

Arkansas
Secretary of State



ARKANSAS
GIS OFFICE

IN THE COUNTY COURT OF LONOKE COUNTY, ARKANSAS

FILED

IN THE MATTER OF ANNEXING TO THE CITY OF CABOT, ARKANSAS, CERTAIN TERRITORY CONTIGUOUS TO THE CITY OF CABOT, LONOKE COUNTY, ARKANSAS

Case No. C-2015- 157

2016 MAR 28 AM 8:30

LONOKE COUNTY CLERK
DANN PORTERFIELD

BY *[Signature]* D.C.

AMENDED ANNEXATION PETITION

Comes the undersigned Petitioner, Class A Tooling, Inc. (hereafter, "Petitioner"), by and through its legal counsel, Clifford C. Collins, and for its Amended Annexation Petition, states:

- 1. That the undersigned represents a majority of the real estate owners of the within described real property as defined in Ark. Code Ann. § 14-40-601(b).
- 2. That Petitioner desires that the following real property be annexed and made part of the City of Cabot, Arkansas:

LOTS NO. 9 AND 10, GATEWAY COMMERCIAL ADDITION, CITY OF LONOKE COUNTY, ARKANSAS *[Signature]*

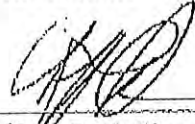
- 3. That Petitioner owns the afore-referenced tract of real property.
- 4. That the afore-referenced tract of real property is contiguous to and adjoining the present corporate limits of the City of Cabot, Lonoke County, Arkansas.
- 5. That an accurate boundary survey was presented at the hearing held on the original Petition on July 14, 2015.
- 6. This amended Petition is being filed to correct the legal description and ownership of the property.

WHEREFORE, Petitioner prays that the Clerk file this Petition; and that the Court set a date of not less than thirty (30) days after the filing of this Amended Petition for a Hearing on the Petition for the annexing of the afore referenced real property.

Respectfully submitted,

CLASS A TOOLING, INC.
PETITIONER

By:



Clifford C. Collins, Ark. Bar No. 2006253
Law Office of Cliff Collins, PLLC
1106 South Pine Street, Suite C
Cabot, AR 72023
(501) 941-1938

CARD STAR-HERALD



The Independent Lonoke Democrat



PROOF OF PUBLICATION AND INVOICE FOR LEGAL ADVERTISING

Bill To: CLIFF COLLINS
1106 SOUTH PINE STREET, SUITE C
CABOT, AR 72023



2016 MAY 19 AM 10:15
MAIL PAYMENT TO:
Central Arkansas Newspapers
PO Box 6469
Pine Bluff, AR 71611

Reference # 770240

AD Legal Notices

IN THE COUNTY COURT OF LONOKE COUNTY, ARKANSAS. IN THE MATTER OF ANNEXING TO THE CITY OF CABOT, ARKANSAS, CERTAIN TERRITORY CONTIGUOUS TO THE CITY OF CABOT, LONOKE COUNTY, ARKANSAS. Case No. 17-2018-167.

AMENDED LEGAL NOTICE
Notice is hereby given that there has been filed in the County Court of Lonoke County, Arkansas a petition by interested landowners, asking for the annexation to the City of Cabot, Arkansas, of the following described lands situated in Lonoke County, Arkansas, and contiguous to said city to-wit:

LOTS NO. 9 AND 10, GATEWAY COMMERCIAL ADDITION, CITY OF CABOT, LONOKE COUNTY, ARKANSAS.

A plot of said land proposed annexation is on file with said Petitioner in the office of the Clerk of said Court, and the undersigned, Class A Tooling, Inc., has been named as the party authorized to act on behalf of the Petitioner.

This Court has fixed the 13th day of May, 2016 at 10:00 A.M. as the day for a hearing on said Petitioner, and all interested persons are now

notified to be present at said Court located at the Lonoke County Courthouse, office 801 North Center Street, Lonoke, Arkansas, at the date so fixed.

Given this 13th day of April, 2016.
BURNS PROPERTIES, LLO
By: Clifford G. Collins
ABN 2006253
Law Office of Cliff Collins, PLLC
1106 South Pine Street, Suite C
Cabot, AR 72023
(501) 841-1988

The legal advertising ran on the following dates:

Table with 2 columns: Date, Date. Rows: 04-19-16, 04-20-16, 04-27-16, 05-04-16

TOTAL CHARGES: \$ 228.06

PROOF OF PUBLICATION
STATE OF ARKANSAS
COUNTY OF LONOKE

I, Paula Pamplin, do solemnly swear that I am an employee of GateHouse Media, owner of said weekly newspaper printed and published in said County, State of Arkansas; That I was an employee of GateHouse Media at and during the publication of the annexed legal advertising in the case of:

CLASS A TOOLING AMENDED LEGAL NOTICE

Pending in court, in said County and at the dates of the several publications of said advertisement stated above, and that during said periods and at said dates said newspaper was printed and has a bona fide circulation in said County, and had a bona fide circulation therein for the period of more than one month before the date of the first publication of said advertisement, and that said advertisement was published in the regular weekly issue of said newspaper as stated above.

Subscribed and sworn to before me on this 13TH day of MAY 2016.

Signature of Paula Pamplin
Paula Pamplin

Signature of Leslie Martin
Leslie Martin
Notary Public

LESLIE MARTIN
Notary Public
Jefferson County, Arkansas
Commission #12377512
Commission Expires 07/08/2020

LEADER PUBLISHING, INC.

P.O. Box 766 • 404 Graham Road • Jacksonville, Ark. • 72076

105 North 8th Street • Cabot, Ark. • 72023

(501) 982-9421 • (501) 941-5132 • 501-985-0026 (Fax)

*Publishers of The Leader on Wednesdays and Saturdays in North Pulaski, Lonoke, White and Prairie Counties
Combat Airlifter — The newspaper at Little Rock Air Force Base*

State of Arkansas

County of Pulaski
County of Lonoke

This is to certify that the attached legal advertisement being _____
City of Cabot

In the matter of _____ Ordinance no. 33 of 2016

versus _____

pending in the _____
court of said county, was published for _____ 1

consecutive times on the following dates:

_____ April 22 _____, 2017, _____, 2017,
_____, 2017, _____, 2017,
_____, 2017, _____, 2017,

in the regular edition of The Leader, a newspaper of general bona fide circulation, having a Periodical Postal Permit and published continuously for a period of more than one year in the County of Lonoke, County of Pulaski, County of White or County of Prairie, State of Arkansas.

PUBLICATION FEE.....\$ _____ 74.93

By: _____
(for Garrick Feldman, publisher)

State of Arkansas
County of Lonoke

SUBSCRIBED AND SWORN TO BEFORE ME ON THIS
_____ 26th DAY OF _____ April _____ 2017.

(Joseph M. Robinson)
Notary Public, Lonoke Co., Arkansas
Commission #12388483
My commission expires July 25, 2022

LEGAL NOTICE

LEGAL NOTICE as published in the April 22nd, 2017 edition of The Leader.

ORDINANCE NO. 33 of 2016

AN ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF CABOT, ARKANSAS, (COMMONLY REFERRED TO AS CLASS A TOOLING, INC.) AND MAKING SAME A PART OF THE CITY OF CABOT, ARKANSAS, ASSIGNING SAME TO WARDS, AND ZONING SAID ANNEXED TERRITORY; AND FOR OTHER PURPOSES

WHEREAS, AN Amended Petition was filed on the 29th day of March 2016, with the County Clerk of Lonoke County, Arkansas, by Clifford Collins, legal counsel for Class A Tooling, Inc. (hereinafter "Petitioner") one hundred percent (100%) of the total number of real estate owners of the hereinafter described territory praying that said territory be annexed to, and made a part of the City of Cabot, Arkansas; and,

WHEREAS, ON the 18th day of May 2016, the County Court of Lonoke County, Arkansas, found that the Petition was signed by one hundred percent (100%) of the real estate owners in said territory; that said territory was contiguous and adjoining the present corporate limits of the City of Cabot, Arkansas; that an accurate plat or map of said territory had been filed with and made a part of said Petition, and that the territory has been properly coordinated with the Arkansas GIS office; and that all things pertaining thereto had been done in the manner prescribed by law, and that said lands and territory should be annexed to and made a part of the City of Cabot, Arkansas, subject to the acceptance of same by the City Council of said City at the proper time, as provided by law; and

WHEREAS, THE time fixed by law for appealing from said Order of Annexation has expired and no appeal has been taken from said Order.

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

SECTION 1: The following described lands and territories annexed to the City of Cabot, by Order of the County Court of Lonoke County, Arkansas, by its Order of May 19th, 2016, be and are hereby accepted by the City of Cabot, Arkansas, said territory hereinafter described shall be hereafter deemed and taken to be a part and parcel of the limits of the City of Cabot, Arkansas, and the inhabitants residing therein shall have and enjoy all of the rights and privileges of the inhabitants within the original limits of the City of Cabot, Arkansas.

SECTION 2: The lands and territories are hereby annexed to and accepted by the City of Cabot, Arkansas, and particularly described as follows:

LOTS NO. 9 AND 10, GATEWAY COMMERCIAL ADDITION, CITY OF CABOT, LONOKE COUNTY, ARKANSAS

SECTION 3: The above described annexed lands and territories are hereby assigned and attached to Ward 1 of the City of Cabot, Arkansas, and the same shall henceforth be a part of said ward as fully as existing parts of said ward.

SECTION 4: The above described annexed lands and territories are hereby zoned C-2.

SPONSOR: WILLIAM A. "Bill" Cyfert, Mayor

PASSED: 8-0

DATE: 1-18-17

APPROVED: WILLIAM A. "Bill" Cyfert, Mayor

APPROVED AS TO FORM: Jim Taylor, City Attorney

ATTEST: TAMMY Yocum, City Clerk-Treasurer

