



# ARKANSAS SECRETARY OF STATE

MARK MARTIN

April 19, 2016

The Honorable Tena O'Brien  
Benton County Clerk  
215 E Central Ave, Suite 217  
Bentonville, AR 72712-5304

Re: City of Centerton Annexation, Benton County Court Case No CC 2016-03

Dear Ms. O'Brien,

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

Filing Type: Annexation by petition pursuant to A.C.A §14-40-609      Effective: 03/11/2016  
County: Benton      City: Centerton  
Ordinance: 2016-10      Dated: 02/09/2016  
Court Order: CC 2016-03      Dated: 01/28/2016 The Honorable Robert Clinard, Benton County Judge

A received marked copy of the ordinance, court order and exhibits submitted to our office is enclosed. By copy of this letter (and its enclosures), the Secretary of State hereby notifies the appropriate mapping authorities for the State of 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 filing please contact our office at 501-682-3401.

Sincerely,

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

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

CC:  Arkansas Geographic Information Office  
Arkansas Highway and Transportation Department Mapping Department (w/encl)  
UALR Institute for Economic Advancement  
Arkansas Municipal League  
Tom-Tom  
Todd Wright, Centerton City Clerk and Treasurer

Room 256 State Capitol • Little Rock, Arkansas 72201-1094  
501-682-1010 • Fax 501-682-3510  
e-mail: [arsos@sos.arkansas.gov](mailto:arsos@sos.arkansas.gov) • [www.sos.arkansas.gov](http://www.sos.arkansas.gov)





# Arkansas Secretary of State

## Mark Martin

State Capitol 500 Woodlane Ave Suite 256 • Little Rock, AR 72201-1094

### Municipal Boundary Change Form

County: Benton City/Town: Centerton

City Ordinance/Resolution No: 2016-10 Date approved: 02/09/2016

County Court Case No: CC2016-03 Date of Order: 01/28/2016

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

*(List of municipal boundary changes with associated Arkansas Code sections reference on back)*

Date Change Effective: 03/11/2016 Emergency clause: Yes  No

For Circuit Court Challenge: Date Filed: \_\_\_\_\_  Upheld  Overturned  Other *(attach explanation)*

#### Initiating party:

All Landowners  Majority Landowners  Municipal Governing Body  State  Other \_\_\_\_\_

#### Supporting Documentation attached:

- File marked copy of City Ordinance/Resolution *(not required for A.C.A § 14-40-1801)*
- File marked copy of County Court Order *(not required for A.C.A. § 14-40-501)*
- Proof of Publication for all Legal Notices *(Hearing, Election, City Ordinance/Resolution)* **Not required**
- Copy of Arkansas GIS approved printed map and certification letter
- 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: Todd Wright Title: Centerton City Clerk and Treasurer

Street Address: P.O. Box 208

City: Centerton St: AR Zip code: 72719

#### City/County Official:

Signature: *Lena O'Brien* By Tonderwood Title: County Clerk

Date: 04-13-16

(Submit form and supporting documents to Arkansas Secretary of State, 500 Woodlane Ave Suite 256, Little Rock, AR 72201-1094)

Office of the Arkansas Secretary of State use only

Received by: \_\_\_\_\_

**RECEIVED**

APR 18 2016

Arkansas  
Secretary of State

Please complete this form and attach it as a cover page to each ordinance and supporting document set

# BENTON COUNTY

STATE OF ARKANSAS

TENA O'BRIEN

COUNTY CLERK & VOTER REGISTRAR  
215 EAST CENTRAL, SUITE 217  
BENTONVILLE, AR 72712-5373

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

March 22, 2016

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

RECEIVED

MAR 23 2016

Arkansas  
Secretary of State

Dear Secretary Martin:

RE: Lifepoint Baptist Church  
City of Centerton Annexation  
Benton County Court Case No. CC# 2016-03

Dear Secretary Martin:

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

1. Map (survey and vicinity map) of the affected area
2. Order of Annexation entered on January 28, 2016
3. Ordinance No. 2016-10 adopted on February 09, 2016 by the City of Centerton

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

Sincerely,

*Tena O'Brien*

Tena O'Brien

By: *T. Underwood*

RECEIVED

MAR 28 2016

Arkansas  
Secretary of State

COUNTY CLERK (479) 271-1013  
VOTER REGISTRAR (479) 271-5704  
BENTONVILLE (479) 271-1013  
SILOAM SPRINGS (479) 238-0120  
PROBATE COURT CLERK (479) 271-5727  
ROGERS (479) 636-3727  
FAX (479) 271-1019 FAX (479) 271-1019 FAX (479) 271-1712 FAX (479) 636-4922  
ARCHIVIST (479) 636-1037  
FAX (479) 636-1053



FILED

2016 FEB 12 AM 10: 23

TENA O'BRIEN  
CO & PROBATE CLERK  
BENTON COUNTY, AR

**ORDINANCE NO. 2016-10**

**AN ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN TERRITORY BELONGING TO LIFEPOINT BAPTIST CHURCH TO THE CITY OF CENTERTON; APPROVING THE SCHEDULE OF SERVICES TO BE EXTENDED TO SAID AREA; ASSIGNING SUCH TO WARDS; AND DESIGNATION OF ZONING.**

**WHEREAS**, a petition was filed, pursuant to A.C.A. 14-40-609, for the annexation of certain territory into the City of Centerton, Arkansas; and

**WHEREAS**, the Benton County Assessor and the Benton County Clerk have (A) Verified the identity of the petitioner(s); (B) Verified that there are no property owners included in the petition that do not wish to have their property annexed; (C) Verified that the property or properties are contiguous with the city; (D) Verified that no enclaves will be created if the petition is accepted by the city; and presented the petition and their respective verifications to the Benton County Judge; and

**WHEREAS**, the County Judge has (A) Reviewed the petition and verifications for completeness and accuracy; (B) Determined that no enclaves will be created by the annexation; (C) Confirmed that the petition contains a schedule of services; and (D) Issued an order articulating these findings, and forwarded the petition and order to the contiguous City of Centerton for consideration; and

**WHEREAS**, it is the desire of the Mayor and City Council of Centerton that said territory be annexed.

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

**SECTION 1.** That the following described territory, contiguous to the City of Centerton, be and the same is hereby accepted as part of, and annexed to and made a part of the City of Centerton, Arkansas to wit:

Part of the NE ¼ of the NE ¼ of Section 29, Township 20 North, Range 31 West, Benton County, Arkansas, more particularly described as follows:

Beginning at the NE corner of the NE ¼ of the NE ¼ of said S29, a mag nail; thence along the East line of said NE ¼ of the NE ¼ and the center of Gamble Road, S02°23'32"W 330.00 feet to a set mag nail; thence leaving the center of Gamble Road, N87°29'46"W 663.34 feet to a set iron pin; thence N02°16'50"E 330.00 feet to a set iron pin in the center of Herbaugh Road; thence along the North line of the said NE ¼ of the

2016 0510

FILED

2016 FEB 12 AM 10:23

NE ¼ and the center of Herbaugh Road, S87°29'46"E 663.99 feet back to the  
containing 5.03 acres, more or less.

TENA O'BRIEN  
CO. CLERK  
BENTON COUNTY, AR

**SECTION 2.** That the following schedule of services shall be extended to the area by the City of Centerton within the statutorily required three (3) years after the date the annexation becomes final, as follows: Police Protection – Immediately; Fire Protection – Immediately; Solid Waste Collection – Immediately; Public Street Maintenance – Immediately; and Zoning and Code Enforcement – Immediately.

**SECTION 3:** A map of said described lands are attached and made a part of this ordinance as Exhibit "A".

**SECTION 4.** That the above described territory shall be annexed to and made a part of Ward   1   of the City of Centerton, and the same shall henceforth be a part of said ward as fully as existing parts of said ward.

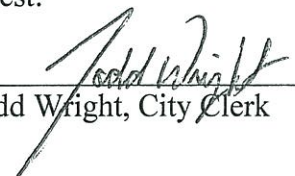
**SECTION 5.** That the above-described property is hereby zoned as Agricultural (A-1).

PASSED AND APPROVED THIS 9th DAY OF February, 2016.



Bill Edwards, Mayor

Attest:

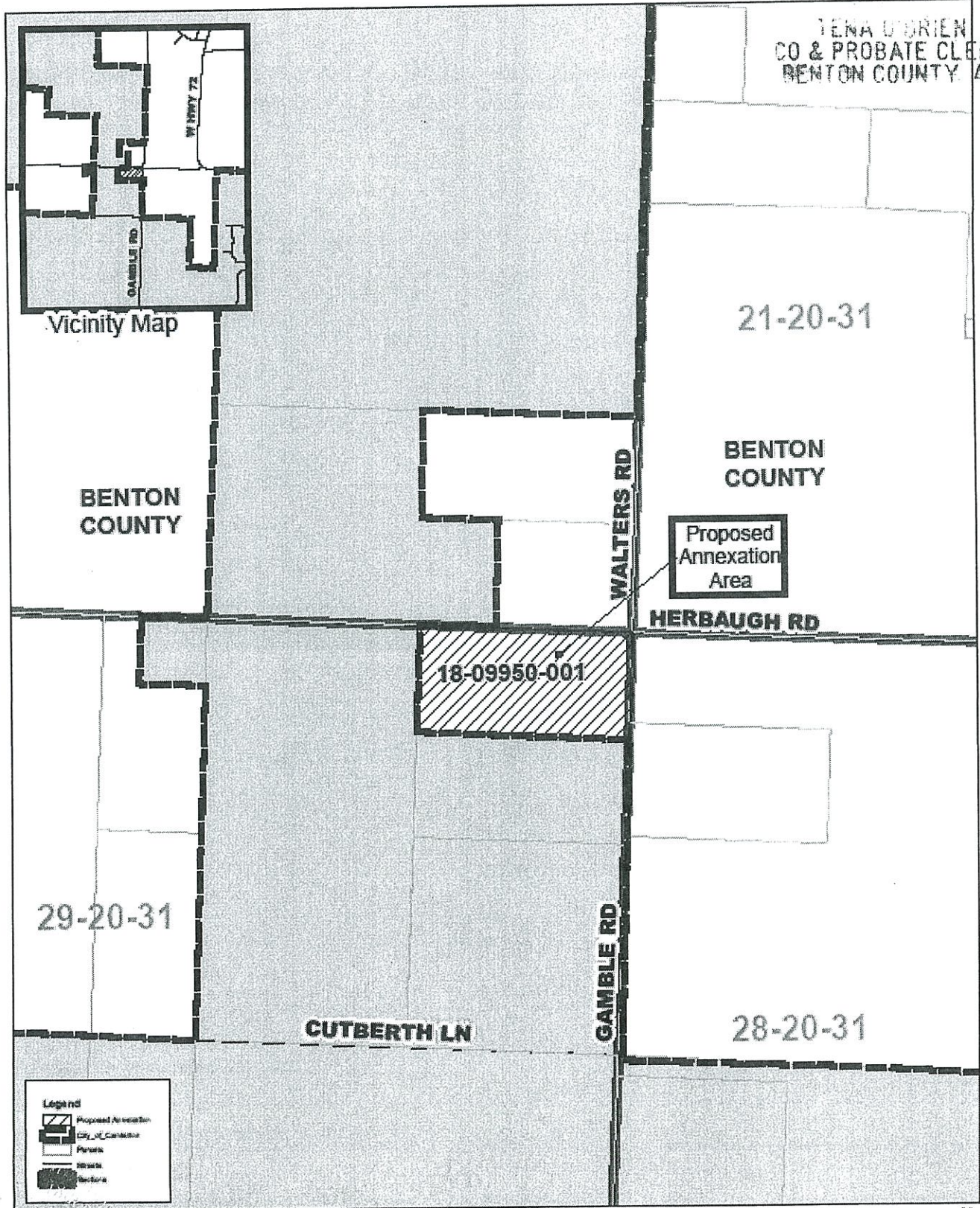
  
Todd Wright, City Clerk

2016 0511



Exhibit A

2016 FEB 12 AM 10:23



TENA D'ORIEIN  
CO & PROBATE CLERK  
BENTON COUNTY AR

Vicinity Map

Proposed  
Annexation  
Area

18-09950-001

29-20-31

21-20-31

BENTON  
COUNTY

BENTON  
COUNTY



HERBAUGH RD

CUTBERTH LN

GAMBLE RD

28-20-31

**Legend**

-  Proposed Annexation
-  City of Centerion
-  Parcels
-  Roads
-  Section

Disclaimer: The data represented in this map is a geographic representation. This City has been developed from the best available information. No guarantee of accuracy is provided, nor is any responsibility for reliance thereon assumed. In accordance with the City of Centerion policy on public information, this map is provided for informational purposes only. It is not intended to be used for any other purpose. The City of Centerion is not responsible for any errors or omissions on this map. The City of Centerion is not responsible for any errors or omissions on this map. The City of Centerion is not responsible for any errors or omissions on this map. The City of Centerion is not responsible for any errors or omissions on this map.

City of Centerion  
Proposed Annexation  
Lifepoint Baptist Church, Inc.  
Parcels 18-00995-001

0 50 100 200 Feet  
December 3, 2015

FILED

2016 JAN 28 PM 4: 14

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

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

LIFEPOINT BAPTIST CHURCH,  
PETITIONERS

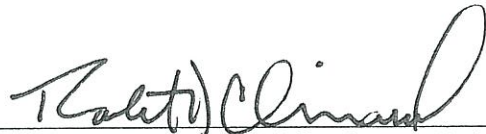
COUNTY COURT ORDER NO. CC 2016-03

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

I, Robert Clinard, County Judge of Benton County, having reviewed the attached petition for annexation and verification of petition, hereby find:

- (1) That the petition and verifications are complete and accurate;
- (2) That no enclaves will be created by the proposed annexation; and
- (3) That the petition contains a schedule of services.

The County Clerk is directed to forward a copy of this order and the related Petition to the Mayor of the City of Centerton.



HON. ROBERT CLINARD, County Judge

Date

2016-28-16

2016 0310



FILED

2016 JAN 28 PM 12:55

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

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

LIFEPOINT BAPTIST CHURCH,  
PETITIONERS

CC 2016-03

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

We, Tena O'Brien, County Clerk of Benton County, and Linda Hambrick, 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:

- (A) the identity of the petitioner or petitioners has been confirmed;
- (B) there are no property owners included in the petition that do not wish to have their property annexed;
- (C) the property described in the petition is contiguous with the City of Centerton, and
- (D) no enclaves will be created if the petition is accepted by the City of Centerton.

  
HON. TENA O'BRIEN, County Clerk

  
HON. LINDA HAMBRICK, County Assessor



2016 JAN 28 AM 8:42

PETITION FOR ANNEXATION

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

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

DATE: \_\_\_\_\_

Come now the undersigned petitioner(s), and state as follows:

1. That we, Lifepoint Baptist Church, Inc., 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 Centerton, Arkansas, to annex the following lands to the City of Centerton, Arkansas:

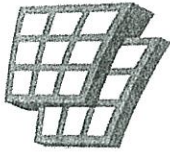
Part of the NE ¼ of the NE ¼ of Section 29, Township 20 North, Range 31 West, Benton County, Arkansas, more particularly described as follows:  
 Beginning at the NE corner of the NE ¼ of the NE ¼ of said S29, a mag nail; thence along the East line of said NE ¼ of the NE ¼ and the center of Gamble Road, S02°23'32"W 330.00 feet to a set mag nail; thence leaving the center of Gamble Road, N87°29'46"W 663.34 feet to a set iron pin; thence N02°16'50"E 330.00 feet to a set iron pin in the center of Herbaugh Road; thence along the North line of the said NE ¼ of the NE ¼ and the center of Herbaugh Road, S87°29'46"E 663.99 feet back to the POB, containing 5.03 acres, more or less.

2. We further state that this petition is signed by 100% of the real estate owners owning 100% of the acreage in said area.
3. That said property described herein is contiguous to and adjoining the present Centerton city limits, as shown on the map attached hereto as Exhibit A.
4. That no enclaves will be created if this petition is accepted and the territory annexed into the City of Centerton.
5. That the following schedule of services shall be extended to the area by the City of Centerton within three (3) years after the date the annexation becomes final: Police Protection – Immediately; Fire Protection – Immediately; Solid Waste Collection – Immediately; Public Street Maintenance – Immediately; and Zoning and Code Enforcement – Immediately.

*Michael J. Dyer*  
 Signature of Property Owner      President  
 Park

*Bethany Booth*  
 Signature of Attesting Witness

*240 Beasley Dr.*  
 Address  
*Centerton AR 72719*



ARKANSAS  
GIS OFFICE

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APR 18 2016

Arkansas  
Secretary of State

April 13, 2016

Mrs. Tiffany Underwood  
Benton County Clerk's Office  
215 E. Central Ave.  
Bentonville, AR 72712

RE: City of Centerton Annexation Coordination Requirement

FILED  
CLERK OF PROBATE  
BENTON COUNTY, AR

2016 APR 13 PM 12:09

FILED

Mrs. Underwood,

Thank you for coordinating with our office as you seek to annex property into the City of Centerton, AR situated to the south west of the intersection of Gamble Road and Herbaugh Road. 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 the County Clerk.

Thank you,

Richie Pierce, Sr. GIS Analyst  
/rp



