



ARKANSAS SECRETARY OF STATE

MARK MARTIN

July 18, 2017

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

Re: City of Centerton Annexation Ordinance 2017-28

Dear Ms. O'Brien,

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 pursuant to A.C.A § 14-40-609 (petition of 100% of the landowners)
Effective Date: 07/13/2017
County: Benton City: Centerton
City Ordinance: 2017-28 Dated: 06/13/2017
Court Order No: CC 2017-07 Filed: 05/01/2017 Honorable Barry Moehring, Benton 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)
Hon. Bill Edwards, Mayor of Centerton



FILED

2017 JUL -7 PM 2: 24



Arkansas Secretary of State

Mark Martin

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

Municipal Boundary Change Form

CLERK OF DISTRICT & PROBATE COURT
BENTON COUNTY, ARK

County: Benton City/Town: City of Centerton

City Ordinance/Resolution No: Ord 2017-28 Date approved: June 13, 2017

County Court Case No: CC2017-07 Date Order Filed: May 1, 2017

Type: Annexation by Petition of All Landowners A.C.A 14-40-609
(Choose from the list of Arkansas Code Sections located on the back)

Date Change Effective: 7-13-17 Emergency clause: Yes No

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 (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)
- 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: Bill Edwards Title: Mayor

Street Address: 290 Main Street

City: Centerton St: AR Zip code: 72719

City/County Official:

Signature: [Signature] Title: Deputy Clerk

Date: 7-17-17

(Complete one form for each ordinance/resolution and attach it as a cover page to the supporting document set. Submit the 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: [Signature]

FILED

JUL 18 2017

Arkansas Secretary of State

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

July 7, 2017

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

RE: Carol Macon, ET AL
City of Centerton Annexation
Benton County Court Case No. CC# 2017-07

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 Authorizing Annexation entered on May 1, 2017
3. Ordinance No. 2017-28 adopted on June 13, 2017, 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

TO/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

COUNTY CLERK
(479) 271-1013
FAX (479) 271-1019

VOTER REGISTRAR
(479) 271-5704

BENTONVILLE
(479) 271-1013
FAX (479) 271-1019

SILOAM SPRINGS
(479) 238-0120
FAX (479) 524-8534

PROBATE COURT CLERK
(479) 271-5727
FAX (479) 271-1712

ROGERS
(479) 636-3727
FAX (479) 636-4922
ARCHIVIST (479) 636-1037
FAX (479) 636-1053

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2017 JUN 26 PM 2: 21

ORDINANCE NO. 2017-28

TELLA DURIEN
CLERK OF PROBATE CLERK
BENTON COUNTY, AR

AN ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN TERRITORY BELONGING TO CAROL J. MACON, TRUSTEE OF THE MACON LIVING TRUST; JOE MOTLEY; AND CARL AND LEIGH ANN WALKER; TO THE CITY OF CENTERTON, ARKANSAS; APPROVING THE SCHEDULE OF SERVICES TO BE EXTENDED TO SAID AREA; AND ASSIGNING SAME TO WARD 3.

WHEREAS, a Petition was filed in the County Court of Benton County, Arkansas, pursuant to Arkansas Code Annotated section 14-40-609, County Court Case No. CC2017-07, for the annexation of certain territory belonging to Carol J. Macon, Trustee of the Macon Living Trust; Joe Motley; and Carl and Leigh Ann Walker; hereinafter described, lying adjacent and contiguous to the City of Centerton, Arkansas, be annexed to, and made a part of 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 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 of Centerton; and presented the petition and their respective verifications to the Benton County Judge; and

WHEREAS, on May 1st, 2017, the Benton 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; (D) found that the land to be annexed complies with the standards for lands qualifying for annexation as set forth in A.C.A. 14-40-302(b) and (E) 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 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 lands and territory, contiguous to the City of Centerton, Arkansas, be and the same is hereby accepted as part of and annexed to and made a part of the City of Centerton.

FILED

JUL 18 2017

Arkansas
Secretary of State

FILED

2017 JUN 26 PM 2: 21

Legal Description (Motley) – PID 18-08824-000

The West Half of the Southeast Quarter of the Southeast Quarter (SE¼, SE¼) Section 7, Township 19, Range 31, Benton County, Arkansas.

TERA O'BRIEN
CLERK
BENTON COUNTY, AR

Legal Description (Macon Living Trust) – PIDs 18-08834-000 and 18-08823-000

The East Half of the Southeast Quarter of the Southeast Quarter (E½, SE¼, SE¼) Section 7, Township 19, Range 31, Benton County, Arkansas.

And

The Southwest Quarter of the Southwest Quarter (SW¼, SW¼) and the south Half of the Northwest Quarter of the Southwest Quarter (S½, NW¼, SW¼), all in Section 8, Township 19 North, Range 31 West, Benton County, Arkansas.

Legal Description (Walker) – PID 18-08832-003

A part of the SE ¼ of the NW ¼ of Section 8, Township 19 North, Range 31 West of the Fifth Principal Meridian, Benton County, Arkansas, and being described as follows: Commencing at a found stone for the SW Corner of the SE ¼ of the NW ¼ of Section 8, Township 19 North, Range 31 West, thence N02°20'38"E 706.77 feet to the true point of beginning, said point being a found iron pin for the NW Corner of Windsong Subdivision, thence N02°20'30"E 610.17 feet to an iron pin set for the NW Corner of the SE ¼ of the NW ¼ of said Section 8, thence S87°34'53"E 1323.75 feet to a mag nail in the roadway of Arkansas State Highway 279 set for the NE Corner of the SE ¼ of the NW ¼ of the said Section 8, thence along the said roadway of Arkansas State Highway 279 S02°21'40"W 624.50 feet to a set cotton spindle, thence leaving the roadway of Arkansas State Highway 279 along the east side thereof and to all other easements and right of ways of record and to all easements and right of ways.

Total Acreage approximately 120 Acres.

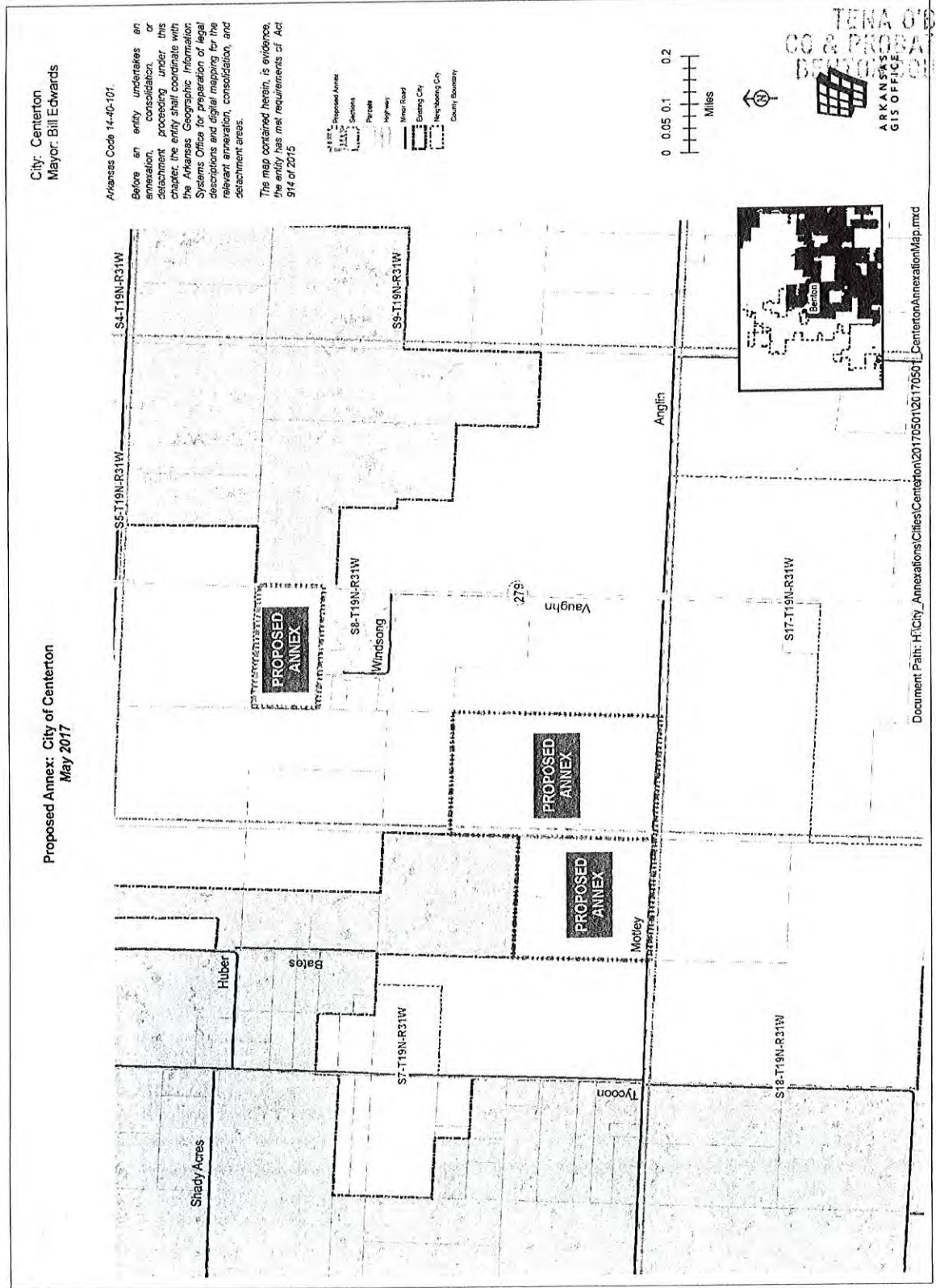
Section 2: A map of said described lands are attached and made a part of this ordinance as Exhibit "A".

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

FILED

2017 JUN 26 PM 2:21

Exhibit A



City: Centerton
Mayor: Bill Edwards

Arkness Code 14-40-101.
Before an entity undertakes an annexation, consolidation, or detachment proceeding under this chapter, the entity shall coordinate with the Arkansas Geographic Information Systems Office for preparation of legal descriptions and digital mapping for the relevant annexation, consolidation, and detachment areas.
The map contained herein, is evidence. The entity has met requirements of Act 974 of 2015

- Proposed Annex
- Section
- Precinct
- Highway
- Main Road
- Elementary City
- High School City
- County Boundary

0 0.05 0.1 0.2
Miles



TENA O'BRIEN
CO & PROBATE CLERK
DEPARTMENT OF REVENUE
ARKANSAS
GIS OFFICE

Proposed Annex: City of Centerton
May 2017

Document Path: H:\City_Annexations\Cities\Centerton\2017050120170501_CentertonAnnexationMap.mxd

FILED

2017 MAY -1 AM 9:02

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

CAROL J. MACON, et al

COUNTY COURT NO. CC 2017-07

PETITIONER(S)

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:

- (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. BARRY MOEHRING, County Judge

Date

FILED

JUL 18 2017

Arkansas
Secretary of State

2017 1488

FILED

2017 JUL -7 PM 2: 26

TENA O'BRIEN
CLERK & PROBATE CLERK
CENTERTON COUNTY, ARK



**ARKANSAS
GIS OFFICE**

May 1, 2017

Mrs. Cassie Elliot
Municipal Consulting
PO Box 44
Centerton, AR 72719

RE: City of Centerton Annexation Coordination Requirement

Mrs. Elliot,

Thank you for coordinating with our office as you seek to annex property into the City of Centerton, AR. 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.

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
/jjw

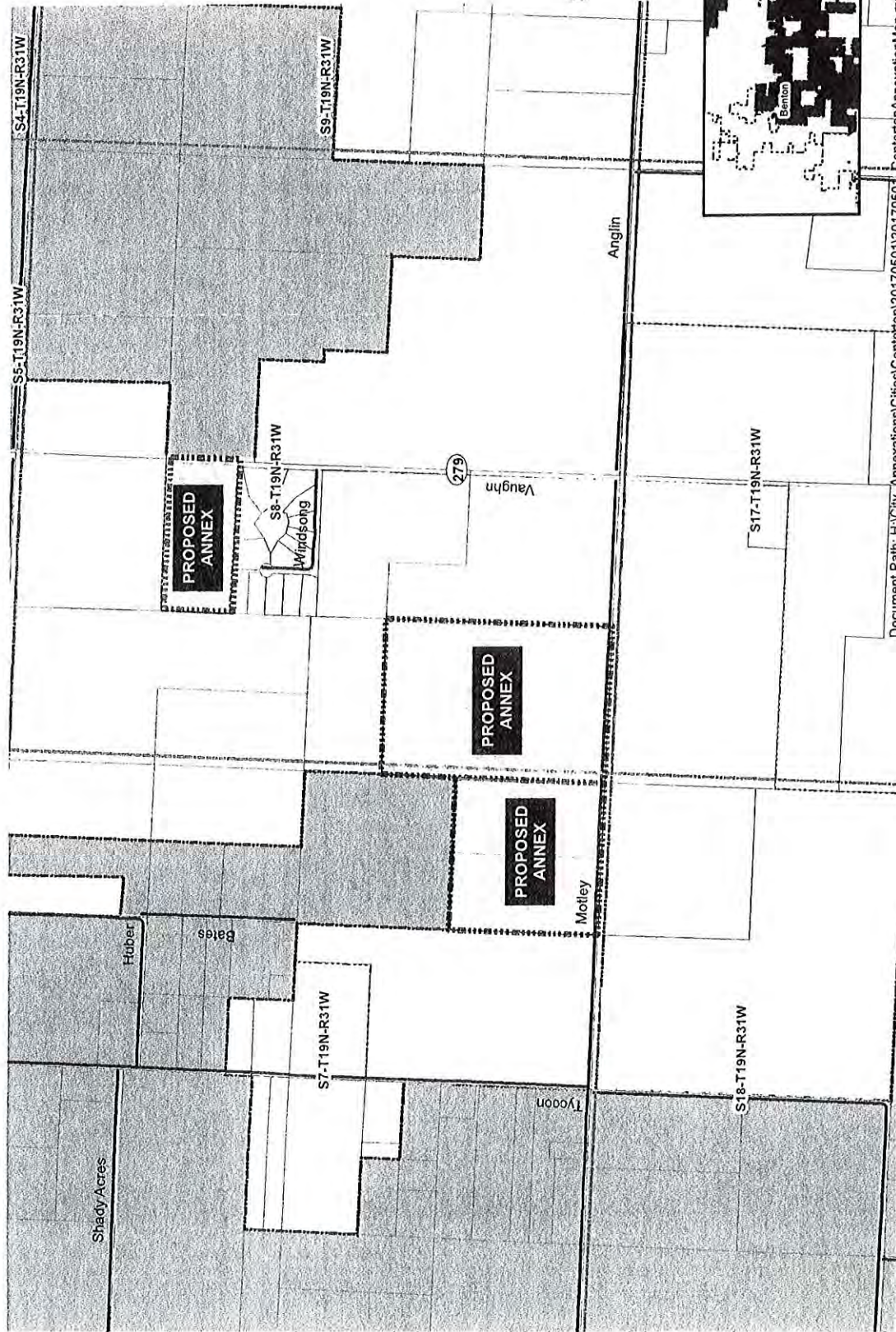
Attachments:
GIS Office Map of Proposed Annexation
Secretary of State Municipal Change Checklist

FILED
JUL 18 2017
Arkansas
Secretary of State

H:\City_Annexations\Cities\Centerton\20170501\Doc\20170501_Centerton_Annexation
_Coordination_Letter.docx

Proposed Annex: City of Centerton
May 2017

City: Centerton
Mayor: Bill Edwards



Arkansas Code 14-40-101.
Before an entity undertakes an annexation, consolidation, or detachment proceeding under this chapter, the entity shall coordinate with the Arkansas Geographic Information Systems Office for preparation of legal descriptions and digital mapping for the relevant annexation, consolidation, and detachment areas.
The map contained herein, is evidence, if the entity has met requirements of Act 914 of 2015

- Proposed Annex
- Sections
- Parcels
- Highway
- Minor Road
- Existing City
- Neighboring City
- County Boundary

FILED

JUL 18 2017

Arkansas
Secretary of State

2017 JUL -7 PM 2: 24

0.05 0.1 Miles
CLERK OF PROBATE
BENTON COUNTY, ARK

ARKANSAS
GIS OFFICE

Document Path: H:\City_Annexations\Cities\Centerton\20170501\20170501_CentertonAnnexationMap.mxd

FILED

FILED

2017 APR 26 AM 10:20

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

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

Macon, Motley & Walker

PETITIONERS

CC 2017-07

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

We, Tena O'Brien, 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:

- (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. RODERICK GRIEVE, County Assessor

FILED

JUL 18 2017

Arkansas
Secretary of State



FILED

2017 APR 26 AM 10:20

TENA D'AMICO
CO & PROBATE CLERK
BENTON COUNTY AR

Date: April 24, 2017

Subject: Petition for Annexation (CC2017-07)

Parcel Number(s) and owner(s):

Walker, Carl & Leigh Ann 18-08832-003 (2004-10751)

Carol Macon, Trustee of the Macon Living Trust 18-08834-000 and 18-08823-000
(2010-61546-000)

Joe Motley 18-08824-000 (495-301)

I have reviewed the subject petition for annexation of territory into the City of Centerton, AR and find the following:

1. The properties to be annexed have boundary lines that are contiguous with the existing city boundary of Centerton, AR, however, the properties themselves are not contiguous.
2. The submitted descriptions substantially conform to the size and location of the properties.
3. The submitted descriptions close mathematically and generally conform to the deeds of record noted above.
4. The petitioners appear to be the owners of record.
5. The proposed annexation appears to not create any enclaves.

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

HUBER RD HUBER RD

WOLLOWAY RD

HUBER RD

18-08789-001

06-00047-125

01-00828-300

NW NW

01-00828-420

N VAUGHN RD

01-00928-415

NW NE

01-00828-425

BER RD

400047-143

06-00047-130

01-00828-305

01-00828-430

SW NW

WACKER
18-08832-003

CENTER RD

00047-149

00047-141

06-00047-135

SE NE

01-16422-000 01-16424-000

SW NE

01-16421-200

01-16431-000

01-16420-000 WINDSONG SUBMISSION PHASE I

01-16419-000

01-16430-000

01-16418-000 01-16427-000 000000

WINDSONG CR

00047-131

07-133

CENTER RD

06-00047-140

01-00828-440

NE SW

NW SE

279

S VAUGHN RD

01-00828-

90

MOTLEY
18-08824-000

SE SE

18-08823-000

MOTLEY
MOTLEY

18-08834-000

MOTLEY
MOTLEY

SW SW

01-00828-450

SE SW

SW SE

01-08203-005

NW NW

BENTONVILLE 01-08199-075

NE NW

NW NE

01-17307-000

01-08203-015

01-08199-05

S VAUGHN RD

MAYER ADD

CC 2017-07

FILED

PETITION FOR ANNEXATION BY 100% OF THE OWNERS OF PROPERTY

2017 APR 13 AM 11:02

To: The Mayor and City Council of the City of Centerton

TERA O'BRIEN
CO. & PROBATE CLERK
BENTON COUNTY, AR

The undersigned, being 100% of the owners of the property described herein, hereby petitions for the annexation of the following property to the City of Centerton:

See attached "Exhibit A"

The following services will be extended to the described area by the City of Centerton within three (3) years after the date the annexation becomes final:

Water, sewer, trash, fire & police protection

I certify the statements herein are true and accurate to the best of my knowledge, information, and belief.

Carol J. Macon, Trustee
Printed Name of Property Owner #1

Joe Motley
Printed Name of Property Owner #2

Carol J. Macon
Signature of Property Owner #1

Joe Motley
Signature of Property Owner #2

Carl Walker
Printed Name of Property Owner #3

Leigh Ann
LeeAnn Walker
Printed Name of Property Owner #4

[Signature]
Signature of Property Owner #3

[Signature]
Signature of Property Owner #4

ACKNOWLEDGMENT

State of Oklahoma)
) ss.
County of

On this the 7th day of March, 2017, before me, the undersigned officer, personally appeared Carol J. Macon, known to me to be the person whose name is subscribed to the within instrument and acknowledged that it was executed for the purposes therein contained.

Judy Tucker
NOTARY PUBLIC

My Commission Expires:



FILED

ACKNOWLEDGMENT

2017 APR 13 AM 11:02

State of Arkansas)
)
County of Benton) ss.

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

On this the 16th day of March, 201 7, before me,
the undersigned officer, personally appeared Joe Motley,
known to me to be the person whose name is subscribed to the within instrument and acknowledged
that it was executed for the purposes therein contained.

Cassie S. Elliott
NOTARY PUBLIC

My Commission Expires:

2-15-2020



FILED

ACKNOWLEDGMENT

2017 APR 13 AM 11:02

State of Arkansas)
)
County of Benton) ss.

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

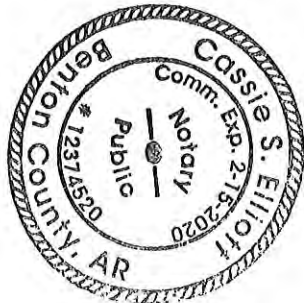
On this the 29th day of March, 201 17, before me,
the undersigned officer, personally appeared Carl & Leigh Ann Walker,
known to me to be the person whose name is subscribed to the within instrument and acknowledged
that it was executed for the purposes therein contained.

Cassie S. Elliott

NOTARY PUBLIC

My Commission Expires:

2-15-2020



FILED

"Exhibit A"

2017 APR 13 AM 11:02

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

Macon/Motley Description (Property Owner 1 & 2)

The Southeast Quarter of the Southeast Quarter (SE1/4), Section 7, Township 19, Range 31, Benton County, Arkansas.

And also

The Southwest Quarter of the Southwest Quarter (SW1/4 SW1/4), and the south Half of the Northwest Quarter of the Southwest Quarter (S1/2 NW1/4 SW1/4), all in Section 8, Township 19 North, Range 31 West, Benton County, Arkansas.

Walker Description (Property Owner 3 & 4))

A PART OF THE SE¼ OF THE NW¼ OF SECTION 8, TOWNSHIP 19 NORTH, RANGE 31 WEST OF THE FIFTH PRINCIPAL MERIDIAN, BENTON COUNTY, ARKANSAS, AND BEING DESCRIBED AS FOLLOWS: COMMENCING AT A FOUND STONE FOR THE SW CORNER OF THE SE¼ OF THE NW¼ OF SECTION 8, TOWNSHIP 19 NORTH, RANGE 31 WEST, THENCE N02°20'38"E 706.77 FEET TO THE TRUE POINT OF BEGINNING, SAID POINT BEING A FOUND IRON PIN FOR THE NW CORNER OF WINDSONG SUBDIVISION, THENCE N02°20'30"E 610.17 FEET TO AN IRON PIN SET FOR THE NW CORNER OF THE SE¼ OF THE NW¼ OF SAID SECTION 8, THENCE S87°34'53"E 1323.75 FEET TO A MAG NAIL IN THE ROADWAY OF ARKANSAS STATE HIGHWAY 279 SET FOR THE NE CORNER OF THE SE¼ OF THE NW¼ OF SAID SECTION 8, THENCE ALONG THE SAID ROADWAY OF ARKANSAS STATE HIGHWAY 279 S02°21'40"W 614.50 FEET TO A SET COTTON SPINDLE, THENCE LEAVING THE ROADWAY OF ARKANSAS STATE HIGHWAY 279 AND ALONG THE NORTH BOUNDARY LINE OF WINDSONG SUBDIVISION, N87°23'38"W 1323.56 FEET TO THE TRUE POINT OF BEGINNING AND BEING SUBJECT TO THE RIGHT OF WAY LINE OF ARKANSAS STATE HIGHWAY 279 ALONG THE EAST SIDE THEREOF AND TO ALL OTHER EASEMENTS AND RIGHT OF WAYS OF RECORD AND TO ALL EASEMENTS AND RIGHT OF WAYS.

0.075
0.15
Miles

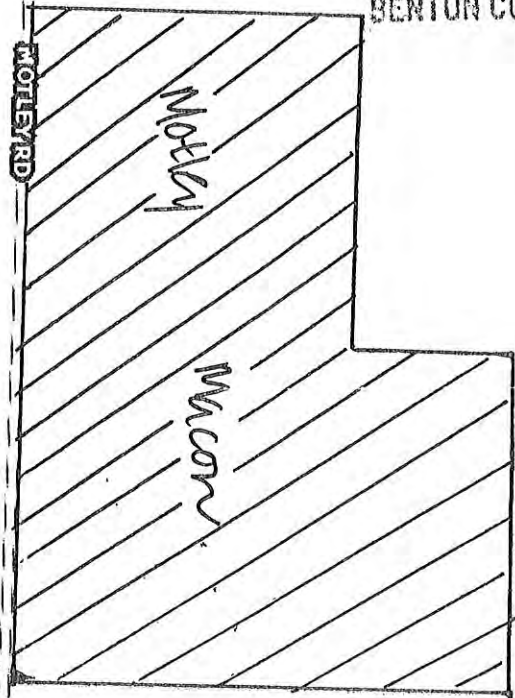


Date: 3/30/2017

FILED

2017 APR 13 AM 11:02

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



BATES LN



WINDSONG LN
WINDSONG CIR

SVAUGHN RD

279

NVAUGHN RD

SW ANGLIN RD