



ARKANSAS SECRETARY OF STATE

MARK MARTIN

May 16, 2018

The Honorable Tena O'Brien
Benton County Clerk
215 East Central ST, Suite 217
Bentonville, AR 72712-5373

Re: City of Centerton Annexation Ordinance 2018-20

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 by 100% of the landowners)

Effective Date: 05/10/2018 (by Municipal Ordinance)

County: Benton

City: Centerton

City Ordinance: 2018-20

Dated: 04/10/2018

County Court Order: CC-2018-05

Date Filed: 03/05/2018 Honorable Barry Moehring, Benton County Judge

Confirmation Order: CC-2018-05

Date Filed: 04/13/2016

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.

Please Note: These documents were filed by the Office of the Secretary of State on April 24, 2018, but held for release until expiration of the 30-day challenge period following the date of Ordinance approval.

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

Sincerely,

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)
Honorable Bill Edwards, Mayor of Centerton (w/encl)

Legal Division • 500 Woodlane Street • Suite 256 • Little Rock, Arkansas 72201-1094
501-682-3401 • Fax: 501-682-1213
e-mail: legal@sos.arkansas.gov • www.sos.arkansas.gov



Arkansas Secretary of State

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

Municipal Boundary Change Checklist

County: Benton City/Town: Centerton

City Ordinance/Resolution No: 2018-20 Date approved: 04/10/2018

County Court Case No: CC 2018-05 Date Order Filed: 04/13/2018 *Confirmation* *Order*
3/15/2018

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

Date Change Effective: 05/10/2018 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 or certified annexation election results *(required except for island annexation)*
- 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 *(if applicable)*
- File marked copy of Complaint and final Circuit Court Order *(Court Challenge only)*

Municipal Contact:

Name: Bill Edwards Title: Mayor

Street Address: PO Box 208

City: Centerton St: AR Zip code: 72719

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: *T. Underwood* Title: Deputy County Clerk

Date: 04/16/2018

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
APR 24 2018
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

April 16, 2018

PROBATE COURT CLERK

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

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

RE: Schuber Mitchell Homes, LLC
City of Centerton Annexation
Benton County Court Case No. CC# 2018-05

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 Confirming Annexation entered on April 13, 2018
3. Ordinance No. 2018-20 adopted on April 10, 2018, 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

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

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

SILVAM SPRINGS
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

FILED

2018 APR 13 PM 3:44

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

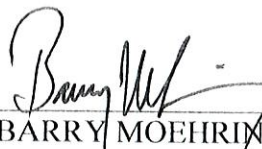
IN THE MATTER OF ANNEXING TO THE
CITY OF CENTERTON, ARKANSAS
CERTAIN TERRITORY CONTIGUOUS TO SAID
CITY OF CENTERTON, ARKANSAS

CC 2018-05

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 Centerton, 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 Centerton, Benton County, Arkansas, is hereby confirmed and that the same is and shall hence forth comprise a part of the City of CENTERTON, Benton County, Arkansas.



HON. BARRY MOEHRING, County Judge

Date April 13, 2018

FILED

APR 24 2018

2018 1273

Arkansas
Secretary of State

2018 APR 12 PM 3:02

ORDINANCE NO. 2018-20

AN ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN TERRITORY BELONGING TO SCHUBER MITCHELL HOMES LLC; TO THE CITY OF CENTERTON, ARKANSAS; APPROVING THE SCHEDULE OF SERVICES TO BE EXTENDED TO SAID AREA; AND ASSIGNING SAME TO WARD 1.

CLERK OF THE CLERK
BENTON COUNTY, AR

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. CC2018-05, for the annexation of certain territory belonging to Schubert Mitchell LLC; 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 March 3, 2018, 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.

Legal Description (Schuber Mitchell LLC) – PID 18-09795-001 and 18-09661-000

FILED

APR 24 2018

Arkansas
Secretary of State

2018 1263

2018 APR 12 PM 3:02

A TRACT OF LAND DESCRIBED IN DEED BOOK 2015, PAGE 56437 IN THE OFFICE OF THE CIRCUIT CLERK IN BENTON COUNTY, ARKANSAS, BEING PART OF THE EAST NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 21 AND PART, AR OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 16, IN TOWNSHIP 20 NORTH, RANGE 31 WEST, BENTON COUNTY, ARKANSAS, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 16, AFORESAID, THENCE NORTH 2°28'54" EAST ALONG THE WEST LINE THEREOF, 745.03 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF ARKANSAS STATE HIGHWAY NO. 72 AS NOW LOCATED; THENCE SOUTH 59°15'28" EAST ALONG SAID RIGHT-OF-WAY LINE, 703.72 FEET; THENCE SOUTH 58°52'41" EAST ALONG SAID RIGHT-OF-WAY LINE, 241.75 FEET; THENCE 355.72 FEET ALONG SAID RIGHT-OF-WAY LINE ON A CURVE TO THE RIGHT HAVING A RADIUS OF 1628.68 FEET AND A CHORD BEARING SOUTH 52°37'16" EAST, 355.02 FEET; THENCE SOUTH 46°21'50" EAST ALONG SAID RIGHT-OF-WAY LINE, 51.74 FEET; THENCE 59.83 FEET ALONG SAID RIGHT-OF-WAY LINE ON A CURVE TO THE RIGHT HAVING A RADIUS OF 1300.17 FEET AND A CHORD BEARING SOUTH 45°02'44" EAST, 59.82 FEET; THENCE SOUTH 31°31'23" EAST ALONG SAID RIGHT-OF-WAY LINE, 24.72 FEET; THENCE SOUTH 53°47'39" EAST ALONG SAID RIGHT-OF-WAY LINE, 24.72 FEET; THENCE 135.81 FEET ALONG SAID RIGHT-OF-WAY LINE ON A CURVE TO THE RIGHT HAVING A RADIUS OF 1300.17 FEET AND A CHORD BEARING SOUTH 38°35'50" EAST, 135.75 FEET TO A POINT ON THE EAST LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 20; THENCE SOUTH 2°28'19" WEST ALONG SAID EAST LINE, 1202.99 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 20; THENCE NORTH 87°28'17" WEST ALONG THE SOUTH LINE OF SAID QUARTER QUARTER SECTION, BEING COMMON WITH PART OF THE NORTH LINE OF WATERFORD PARK ADDITION, A SUBDIVISION OF LAND IN BENTON COUNTY, ARKANSAS, AS PREVIOUSLY PLATTED AND RECORDED, 1335.41 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 20; THENCE NORTH 2°42'51" EAST ALONG THE WEST LINE OF SAID QUARTER QUARTER SECTION, 1320.04 FEET TO THE POINT OF BEGINNING. SUBJECT TO THE RIGHT-OF-WAY OF WALTERS ROAD ON THE WEST SIDE, AND ANY EXISTING EASEMENTS. BEARINGS ARE BASED ON THE ARKANSAS COORDINATE SYSTEM OF 1983, NORTH ZONE.

Total Acreage approximately 52 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 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.

Ord. No. 2018-20
Annexation Schuber Mitchell LLC

Section 4: That the following schedule of services shall be extended to the area by the City of Centerton within the statutorily required three (3) year period after the date the annexation becomes final, as follows:

- A. Fire
- B. Police
- C. Water
- D. Trash

Section 5: Thirty (30) days after passage and publication or posting of this Ordinance as authorized by law, the annexation shall be final and the property shall be within the corporate limits of the City of Centerton, except as otherwise ordered by the Circuit Court pursuant to a cause of action filed within said thirty (30) day period.

PASSED AND APPROVED this 10th day of April, 2018.

APPROVED:

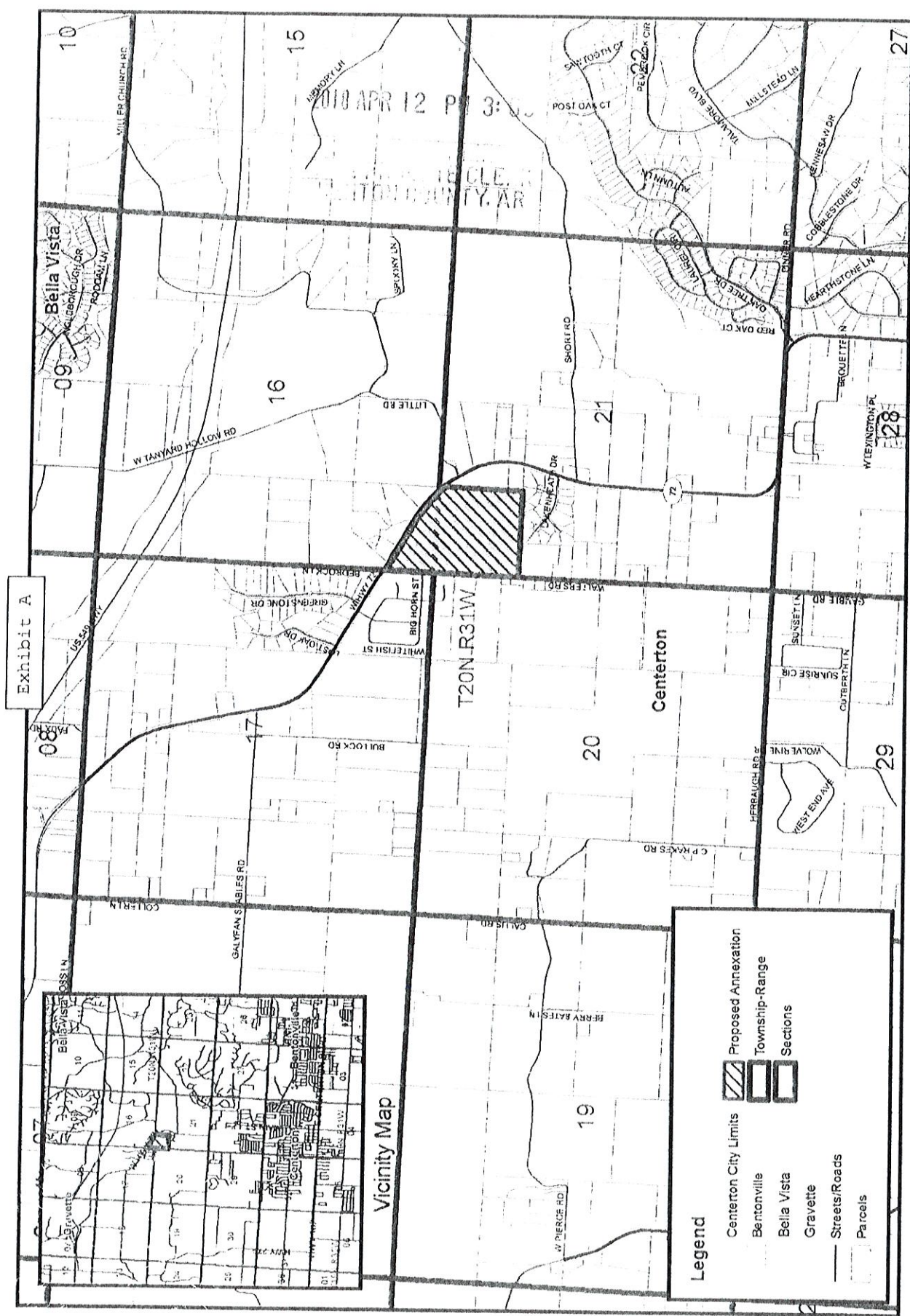


BILL EDWARDS, Mayor

ATTEST:



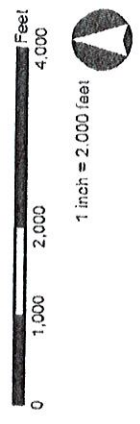
TODD WRIGHT, City Clerk



Legend

- Centerion City Limits
- Bentonville
- Bella Vista
- Gravette
- Streets/Roads
- Parcels
- Proposed Annexation
- Township-Range
- Sections

Disclaimer: The data represented in this map is a graphical representation. This map has been developed from the best available sources. No guarantee of accuracy is granted, nor is any responsibility for reliance thereon assumed in no event shall the City or any other entity be liable for direct, indirect, incidental, consequential or special damages of any kind, including, but not limited to, loss of anticipated profits or benefits arising out of use of or reliance on the data. The City or any other entity is in no way responsible for or liable for misrepresentation or re-use of this map. Distribution of this map is intended for information purposes and should not be considered authoritative for engineering, legal and other site-specific uses.



FILED

2018 MAR -6 PM 12: 08

JENA RUSSELL
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

COUNTY COURT ORDER NO. CC 2018-05

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 Centerton.



 HON. BARRY MOEHRING, County Judge

3/5/18

 Date

F I L E D

APR 24 2018

Arkansas
Secretary of State

2018-0945

FILED

2018 MAR -1 PM 3: 07

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

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

CC 2018-05

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 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. TENA O'BRIEN, County Clerk



HON. RODERICK GRIEVE, County Assessor

FILED

APR 24 2018

Arkansas
Secretary of State

FILED

2018 MAR -1 PM 3:07

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



Date: February 28, 2018
Subject: Proposed Annexation Checklist
CC 2018-05 Centerton, 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;

(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.

NA [Additionally, we note that the legal description in (C) 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 -- Mapping Dept.
Benton County Assessor's Office
Phone: 479-271-1037, ext. 7004
Email: michael.million@bentoncountyar.gov

FILED

2018 FEB 27 AM 8:40



**ARKANSAS
GIS OFFICE**

JENA O'DRIEN
CLERK & PROBATE CLERK
BENTON COUNTY, ARK.

February 15, 2018

ATTN: Dan Mitchell
Schuber Mitchell Homes, LLC
1621 Anderson Dr
Webb City MO 64870

RE: City of Centerton Annexation Coordination Requirement

Mr. Mitchell,

Thank you for coordinating with our office as you seek to annex property into the City of Centerton situated in part of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 21 and part of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 16, Township 20 North, Range 31 West; and recorded in BOOK 2015, PAGE 56437 in Benton County. This letter represents confirmation that you have properly coordinated with our office (Arkansas GIS Office) as specified in \S 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,

Shelby D Johnson, State Geographic Information Officer
/sdj

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

FILED

APR 24 2018

**Arkansas
Secretary of State**

H:\City_Annexations\Templates\Folder Structure\Doc\20180214_Centerton_Annexation_Coordination_Letter.docx

Proposed Annex: City of Centerton
February 2018

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.

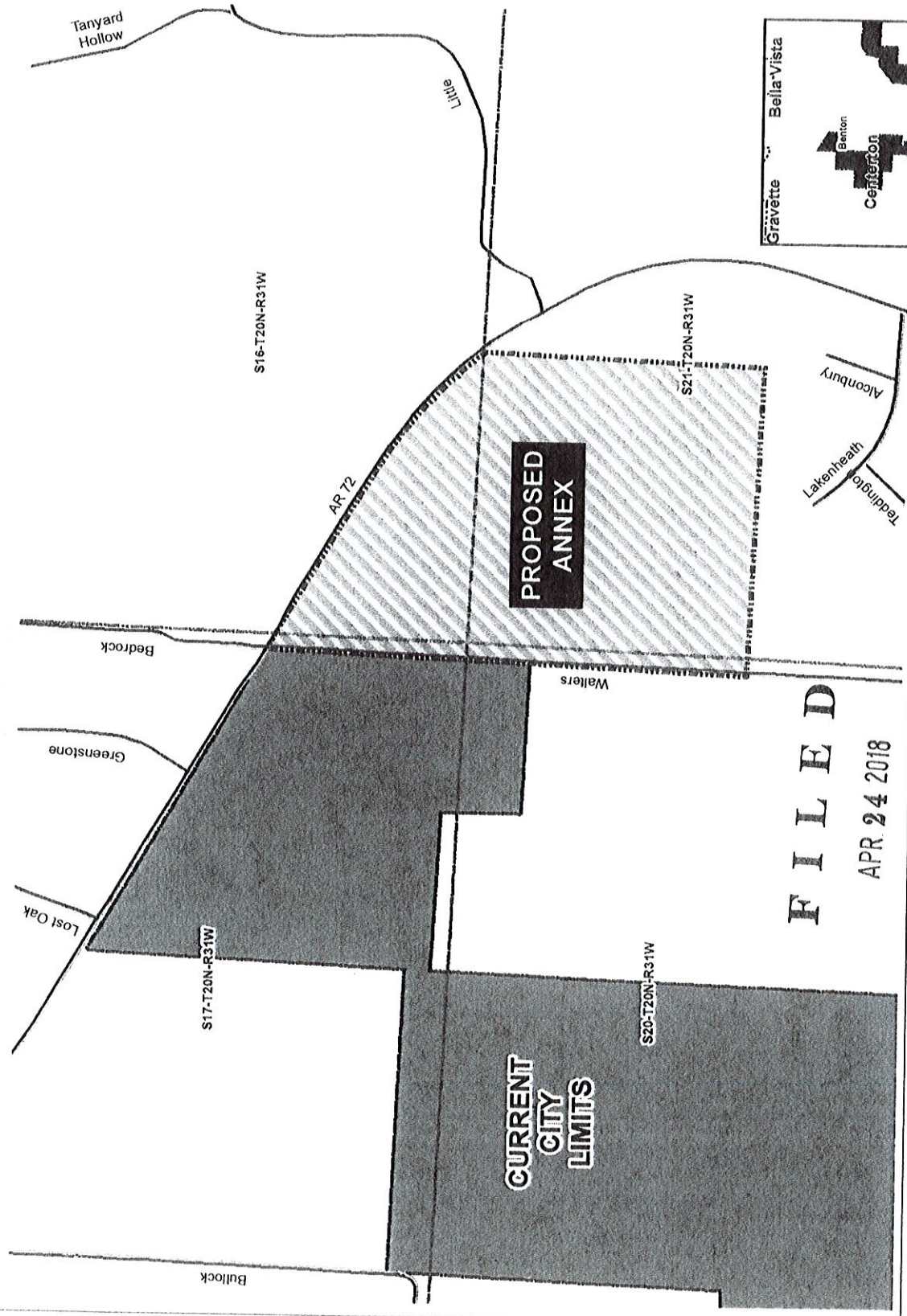
The map contained herein, is evidence, if the entity has met requirements of Act 974 of 2015



FILED
2018 FEB 27 AM 8:40
TERRILL
CO. & PROCLAMATION
DEPT. OF REVENUE
CLERK
0100250.05
Miles



Arkansas GIS Office
F:\GIS\Annexation\Cities\Centerton\20180214



PROPOSED ANNEX

CURRENT CITY LIMITS

FILED

APR 24 2018

Arkansas
Secretary of State

FILED

2018 FEB 27 AM 8:40

TENTH DISTRICT
COURT CLERK
BENTON COUNTY, ARK.

PETITION FOR ANNEXATION

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

DATE: February 27, 2018
CC: 2018-05

Comes now the undersigned petitioner, and states as follows:

1. That I, Schuber Mitchell Homes, LLC, 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:

A TRACT OF LAND DESCRIBED IN DEED BOOK 2015, PAGE 56437 IN THE OFFICE OF THE CIRCUIT CLERK IN BENTON COUNTY, ARKANSAS, BEING PART OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 21 AND PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 16, IN TOWNSHIP 20 NORTH, RANGE 31 WEST, BENTON COUNTY, ARKANSAS, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 16, AFORESAID, THENCE NORTH 2°28'54" EAST ALONG THE WEST LINE THEREOF, 745.03 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF ARKANSAS STATE HIGHWAY NO. 72 AS NOW LOCATED; THENCE SOUTH 59°15'28" EAST ALONG SAID RIGHT-OF-WAY LINE, 703.72 FEET; THENCE SOUTH 58°52'41" EAST ALONG SAID RIGHT-OF-WAY LINE, 241.75 FEET; THENCE 355.72 FEET ALONG SAID RIGHT-OF-WAY LINE ON A CURVE TO THE RIGHT HAVING A RADIUS OF 1628.68 FEET AND A CHORD BEARING SOUTH 52°37'16" EAST, 355.02 FEET; THENCE SOUTH 46°21'50" EAST ALONG SAID RIGHT-OF-WAY LINE, 51.74 FEET; THENCE 59.83 FEET ALONG SAID RIGHT-OF-WAY LINE ON A CURVE TO THE RIGHT HAVING A RADIUS OF 1300.17 FEET AND A CHORD BEARING SOUTH 45°02'44" EAST, 59.82 FEET; THENCE SOUTH 31°31'23" EAST ALONG SAID RIGHT-OF-WAY LINE, 24.72 FEET; THENCE SOUTH 53°47'39" EAST ALONG SAID RIGHT-OF-WAY LINE, 24.72 FEET; THENCE 135.81 FEET ALONG SAID RIGHT-OF-WAY LINE ON A CURVE TO THE RIGHT HAVING A RADIUS OF 1300.17 FEET AND A CHORD BEARING SOUTH 38°35'50" EAST, 135.75 FEET TO A POINT ON THE EAST LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 21; THENCE SOUTH 2°28'19" WEST ALONG SAID EAST LINE, 1202.99 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 21; THENCE NORTH 87°28'17" WEST ALONG THE SOUTH LINE OF SAID QUARTER

2018 FEB 27 AM 8:41

QUARTER SECTION, BEING COMMON WITH PART OF THE NORTH LINE OF WATERFORD PARK ADDITION, A SUBDIVISION OF LAND IN BENTON COUNTY, ARKANSAS, AS PREVIOUSLY PLATTED AND RECORDED, 1335.41 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 21; THENCE NORTH 2°42'51" EAST ALONG THE WEST LINE OF SAID QUARTER QUARTER SECTION, 1320.04 FEET TO THE POINT OF BEGINNING. SUBJECT TO THE RIGHT-OF-WAY OF WALTERS ROAD ON THE WEST SIDE, AND ANY EXISTING EASEMENTS. BEARINGS ARE BASED ON THE ARKANSAS COORDINATE SYSTEM OF 1983, NORTH ZONE.

2. I 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 and fire protection – immediately; public street maintenance – immediately; and solid waste collection and disposal – immediately.
6. That a letter or title opinion from a certified abstractor or title company verifying the petitioner is the owner of record of the relevant property is attached hereto as Exhibit B, and is made part of this petition.
7. That a letter or verification from a certified surveyor or engineer verifying that the relevant property is contiguous with the city limits of Centerton and that no enclaves will be created if the property is accepted for annexation to Centerton is attached hereto as Exhibit C, and is made part of this petition.
8. That the undersigned person executing this petition has confirmed by their signature below a desire that their property, which is described above, be annexed into the City of Centerton.



Signature of Property Owner/Petitioner

Schuber Mitchell Homes, LLC by Dan Mitchell
Printed Name of Property Owner/Petitioner

2018 FEB 27 AM 8:40

TENN. D. BRIGN
COL. & PROBATE CLERK
BENTON COUNTY, AR

ACKNOWLEDGMENT

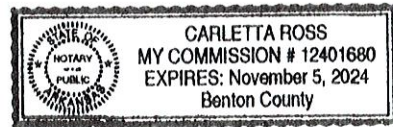
State of Arkansas)
) ss.
County of Benton)

On this the 16th day of February, 2018, before me, the undersigned officer, personally appeared Dan Mitchell, known to me (or satisfactorily proven) to be the person whose name is subscribed above and acknowledged and attested that it was executed for the purposes therein apparent.

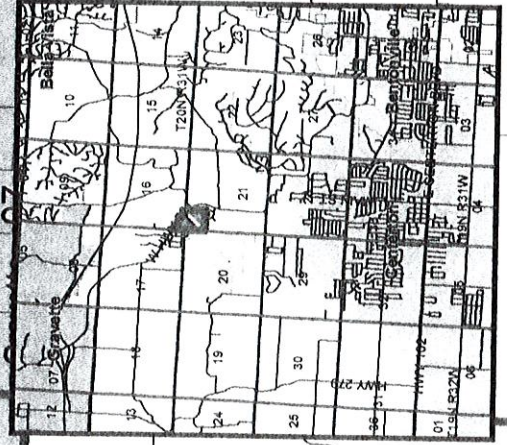
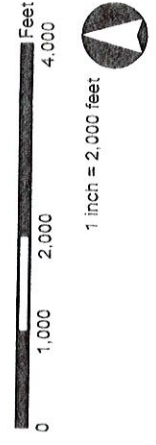
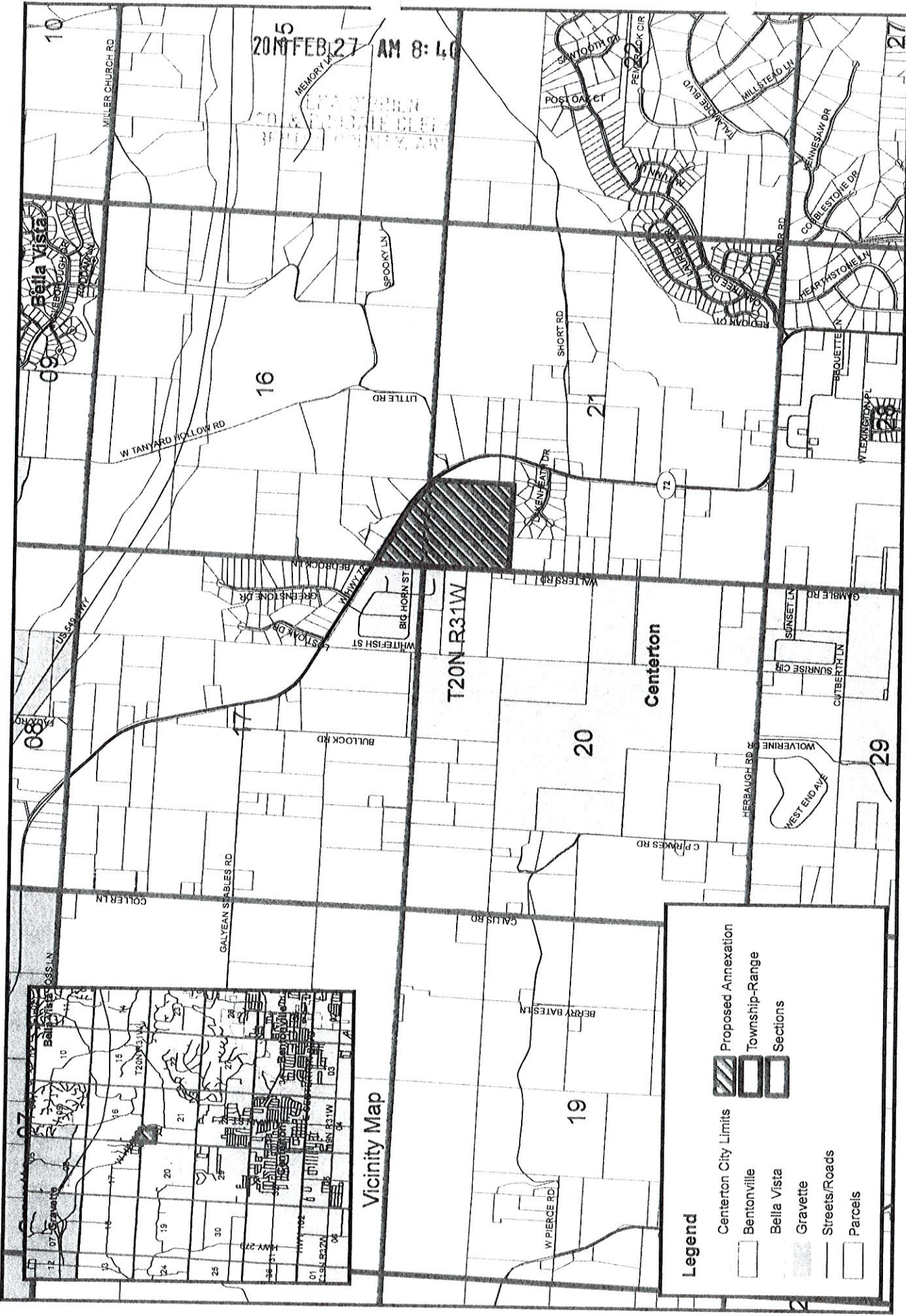
Carletta Ross
NOTARY PUBLIC

My Commission Expires:

11-5-24



20 FEB 27 AM 8:40



Vicinity Map

Legend

- Centerion City Limits
- Bentonville
- Bella Vista
- Gravette
- Streets/Roads
- Parcels
- Proposed Annexation
- Township-Range
- Sections

Exhibit A
Schuber Mitchell Homes
Annexation (50.20 AC)
Parcel IDs 18-09795-001 and 18-09661-000

Disclaimer: The data represented in this map is a graphical representation. This map has been developed from the best available sources. No guarantee of accuracy is granted, nor is any responsibility for reliance thereon assumed. In no event shall the City or any other entity be liable for direct, indirect, incidental, consequential or special damages of any kind, including, but not limited to, loss of anticipated profits or benefits arising out of use of or reliance on the data. The City or any other entity is in no way responsible for or liable for misrepresentation or re-use of this map. Distribution of this map is intended for information purposes and should not be considered authoritative for engineering, legal and other site-specific uses.

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2018 FEB 27 AM 8:40

TENA GREEN
CO. & EMPLOYEE CREDIT
REALTY COMPANY

Exhibit B

Elite Title Company Inc.

Date: February 26, 2018

Greetings:

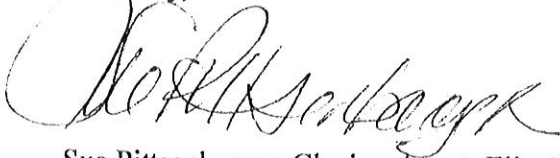
This letter is given in connection with what is understood to be an effort to voluntarily annex certain real property into the City of Centerton. Based on our review, we verify that Schuber Mitchell Homes, LLC is the owner of record of the real property described as follows:

A TRACT OF LAND DESCRIBED IN DEED BOOK 2015, PAGE 56437 IN THE OFFICE OF THE CIRCUIT CLERK IN BENTON COUNTY, ARKANSAS, BEING PART OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 21 AND PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 16, IN TOWNSHIP 20 NORTH, RANGE 31 WEST, BENTON COUNTY, ARKANSAS, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 16, AFORESAID, THENCE NORTH 2°28'54" EAST ALONG THE WEST LINE THEREOF, 745.03 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF ARKANSAS STATE HIGHWAY NO. 72 AS NOW LOCATED; THENCE SOUTH 59°15'28" EAST ALONG SAID RIGHT-OF-WAY LINE, 703.72 FEET; THENCE SOUTH 58°52'41" EAST ALONG SAID RIGHT-OF-WAY LINE, 241.75 FEET; THENCE 355.72 FEET ALONG SAID RIGHT-OF-WAY LINE ON A CURVE TO THE RIGHT HAVING A RADIUS OF 1628.68 FEET AND A CHORD BEARING SOUTH 52°37'16" EAST, 355.02 FEET; THENCE SOUTH 46°21'50" EAST ALONG SAID RIGHT-OF-WAY LINE, 51.74 FEET; THENCE 59.83 FEET ALONG SAID RIGHT-OF-WAY LINE ON A CURVE TO THE RIGHT HAVING A RADIUS OF 1300.17 FEET AND A CHORD BEARING SOUTH 45°02'44" EAST, 59.82 FEET; THENCE SOUTH 31°31'23" EAST ALONG SAID RIGHT-OF-WAY LINE, 24.72 FEET; THENCE SOUTH 53°47'39" EAST ALONG SAID RIGHT-OF-WAY LINE, 24.72 FEET; THENCE 135.81 FEET ALONG SAID RIGHT-OF-WAY LINE ON A CURVE TO THE RIGHT HAVING A RADIUS OF 1300.17 FEET AND A CHORD BEARING SOUTH 38°35'50" EAST, 135.75 FEET TO A POINT ON THE EAST LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 21; THENCE SOUTH 2°28'19" WEST ALONG SAID EAST LINE, 1202.99 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 21; THENCE

NORTH 87°28'17" WEST ALONG THE SOUTH LINE OF SAID QUARTER QUARTER SECTION, BEING COMMON WITH PART OF THE NORTH LINE OF WATERFORD PARK ADDITION, A SUBDIVISION OF LAND IN BENTON COUNTY, ARKANSAS, AS PREVIOUSLY PLATTED AND RECORDED, 1335.41 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 21; THENCE NORTH 2°42'51" EAST ALONG THE WEST LINE OF SAID QUARTER QUARTER SECTION, 1320.04 FEET TO THE POINT OF BEGINNING. SUBJECT TO THE RIGHT-OF-WAY OF WALTERS ROAD ON THE WEST SIDE, AND ANY EXISTING EASEMENTS. BEARINGS ARE BASED ON THE ARKANSAS COORDINATE SYSTEM OF 1983, NORTH ZONE.

Sincerely,



Sue Pittsenbarger, Closing Agent, Elite Title Inc.

TEMA TITLED
CO. & RECORD CLERK
RECORDS DEPARTMENT

2018 FEB 27 AM 8:40

11666

2018 FEB 27 AM 8:40

TERA MERRIN
CO. & PROFESSIONAL CLERK
BENTON COUNTY, ARK.

Exhibit "C"

Date: February 14, 2018

Greetings:

This letter is given in connection with what is understood to be an effort to voluntarily annex certain real property into the City of Centerton. I am a licensed Professional Surveyor in the State of Arkansas. Based on my review I verify that the real property described as follows, and as shown on the map labeled Exhibit A in the Schuber Mitchell Homes, LLC annexation petition of which this letter is a part, is contiguous with the City of Centerton and that no enclaves will be created if the described property is accepted by the City of Centerton:

A TRACT OF LAND DESCRIBED IN DEED BOOK 2015, PAGE 56437 IN THE OFFICE OF THE CIRCUIT CLERK IN BENTON COUNTY, ARKANSAS, BEING PART OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 21 AND PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 16, IN TOWNSHIP 20 NORTH, RANGE 31 WEST, BENTON COUNTY, ARKANSAS, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 16, AFORESAID, THENCE NORTH 2°28'54" EAST ALONG THE WEST LINE THEREOF, 745.03 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF ARKANSAS STATE HIGHWAY NO. 72 AS NOW LOCATED; THENCE SOUTH 59°15'28" EAST ALONG SAID RIGHT-OF-WAY LINE, 703.72 FEET; THENCE SOUTH 58°52'41" EAST ALONG SAID RIGHT-OF-WAY LINE, 241.75 FEET; THENCE 355.72 FEET ALONG SAID RIGHT-OF-WAY LINE ON A CURVE TO THE RIGHT HAVING A RADIUS OF 1628.68 FEET AND A CHORD BEARING SOUTH 52°37'16" EAST, 355.02 FEET; THENCE SOUTH 46°21'50" EAST ALONG SAID RIGHT-OF-WAY LINE, 51.74 FEET; THENCE 59.83 FEET ALONG SAID RIGHT-OF-WAY LINE ON A CURVE TO THE RIGHT HAVING A RADIUS OF 1300.17 FEET AND A CHORD BEARING SOUTH 45°02'44" EAST, 59.82 FEET; THENCE SOUTH 31°31'23" EAST ALONG SAID RIGHT-OF-WAY LINE, 24.72 FEET; THENCE SOUTH 53°47'39" EAST ALONG SAID RIGHT-OF-WAY LINE, 24.72 FEET; THENCE 135.81 FEET ALONG SAID RIGHT-OF-WAY LINE ON A CURVE TO THE RIGHT HAVING A RADIUS OF 1300.17 FEET AND A CHORD BEARING SOUTH 38°35'50" EAST, 135.75 FEET TO A POINT ON THE EAST LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 20; THENCE SOUTH 2°28'19" WEST ALONG SAID EAST LINE, 1202.99 FEET TO THE SOUTHEAST CORNER

OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 20; THENCE NORTH 87°28'17" WEST ALONG THE SOUTH LINE OF SAID QUARTER QUARTER SECTION, BEING COMMON WITH PART OF THE NORTH LINE OF WATERFORD PARK ADDITION, A SUBDIVISION OF LAND IN BENTON COUNTY, ARKANSAS, AS PREVIOUSLY PLATTED AND RECORDED, 1335.41 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 20; THENCE NORTH 2°42'51" EAST ALONG THE WEST LINE OF SAID QUARTER QUARTER SECTION, 1320.04 FEET TO THE POINT OF BEGINNING. SUBJECT TO THE RIGHT-OF-WAY OF WALTERS ROAD ON THE WEST SIDE, AND ANY EXISTING EASEMENTS. BEARINGS ARE BASED ON THE ARKANSAS COORDINATE SYSTEM OF 1983, NORTH ZONE.

Sincerely,



Jerrod Hogan, PLS 1584

1584
JENNA W. GREEN
CO. & PRODUCE COLLECTOR
PENN. CO. BENTON CO. ARK.

2018 FEB 27 AM 8:40

FILED